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WEDNESDAY, OCTOBER 9, 1776

Two letters from General Schuyler, of the 3d, with sundry letters enclosed, were laid before Congress, and read:¹

Resolved, That they be referred to the Board of War, and that the letters heretofore received from General Washington, General Schuyler, and all other general officers, with the papers enclosed, be lodged in the War Office.

Resolved, That two months' pay be advanced to Major Pierre François de Bois, he to be accountable.

A petition from Jean Baccarère and his partner, was presented to Congress, and read.

Resolved, That it be referred to the Marine Committee.

Application being made in behalf of Captain Dirks, late from Surinam, to be taken into the service of the Continent, as an engineer,

Resolved, That he be referred to the Board of War.

The committee appointed to prepare the form of a bond to be given by Charles Lee, for the 30,000 dollars advanced to him, brought in the same, which was agreed to.

Congress resumed the consideration of the report of the committee who went to the camp;² Whereupon,

Resolved, That no regimental hospitals be, in future, allowed in the neighbourhood of the general hospital:

That John Morgan, Esq^r provide and superintend a hospital, at a proper distance from the camp, for the army posted on the east side of Hudson's river.

That William Shippen, [Jun.] Esq^r provide and superintend an hospital for the army, in the state of New Jersey:

That each of the hospitals be supplied by the respective directors with such a number of surgeons, apothecaries,

¹These letters are in the *Papers of the Continental Congress*, No. 153, II, 427, 433.

²See note under October 3, p. 844, *ante*.

surgeons' mates, and other assistants, and also with such quantities of medicine, bedding, and other necessaries, as they shall judge expedient:

That they make weekly returns to Congress and the commander in chief, of the officers and assistants of each denomination, and also the number of sick and deceased in their respective hospitals:

That the regimental surgeons be directed to send to the general hospitals such officers and soldiers of their respective regiments, as, confined by wounds or other disorders, shall require nurses or constant attendance, and, from time to time, to apply to the quarter master general, or his deputy, for convenient waggons for this purpose; also, [that they apply to the directors in their respective departments, for medicines and other necessaries:]¹

That the wages of nurses be augmented to one dollar per week:

That the commanding officer of each regiment be directed, once a week, to send a commission officer to visit the sick of his respective regiment in the general hospital, and report their state to him:

That a commissary of cloathing be appointed for each of the armies of the United States, whose duty shall be to make constant returns to the assemblies or conventions of the respective states, of the cloathing wanted for their several regiments, to receive and pay for the same, to deliver it to the pay masters of the respective regiments, to be by them distributed to the non-commissioned officers and soldiers, and deducted from their wages respectively, unless allowed as a bounty by order of Congress:

~~Resolved, That for ye immediate Relief of ye Army it be recommended to ye Assemblies, and Conventions from Virginia, to New Hampshire inclusively, to employ a suitable Number of persons to~~

¹ This sentence is in the writing of John Hancock.

apply to each of ye Inhabitants of their respective States and purchase such Articles of Cloathing and Blankets as they can spare for ye Service, and that ye same be sent with Invoices of ye Cost to ye Commissary of Cloathing at New York, the Amount thereof to be by him discharged, and it is also recommended to ye sd Assemblies and Conventions to send to ye Commdr. in Chief at N. York such a Number of Flints as they can supply for ye use of ye Army.

Resolved, That ye Continental Agents of y^e States from Pennsylvania to New Hampshire inclusively be directed to purchase all y^e Salt offered for Sale in their respective States, and deliver y^e Same wth such other Quantities belonging to y^e Continent, as they now have or hereafter may have in their Hands, to y^e Commissary General or his order, who is hereby impowered to draw for y^e Same, and employ suitable persons to import such other Quantities as he shall judge necessary.

That the commissary general be empowered to employ suitable persons to import such quantities of salt as he shall judge necessary, on account and risque of the United States.¹

That for promoting health in the army, the commissary general be directed to cause the same to be well supplied with Indian meal and vegetables.

~~Resolved, That a Disciplinarian with y^e _____ Dollars per Month and y^e Rank of Major General be appointed for y^e Army of N. York, whose Duty it shall be constantly to discipline y^e Corps of Officers of each Brigade, and report to Congress y^e plans adopted for this purpose.~~

That the commander in chief be empowered to appoint as many conductors for the commissary of stores, and assistants to the commissary of cloathing, as he shall, from time to time, judge necessary, and report their names to Congress:

That there be a deputy commissary of stores for the army at New York, with the pay of thirty dollars per month.

¹This paragraph is in the writing of John Hancock.

Resolved, That y^e Board of War be directed to send to y^e Commissary of Stores at New York, 10 Tons Musket and Rifle powder, 20 Tons Buck shot, a Quantity of Tin, as many brass Field peices, 6 and 3 pounders, as they can procure, and that they employ y^e overseer of y^e Fomdry in this place to cast eighteen brass Field peices, 6 pounders and eighteen three pounders, as soon as may be, and order Carriages to be compleated for y^e same.

Resolved, That Mr. Maize [Mease] be directed forthwith to send to y^e Colo of Artillery at New York 1,000 Yds of fine white Flannel.

Resolved, That y^e Board of War be directed to prepare a plan for establishing a continental Laboratory and a military Academy, and providing y^e same with proper Officers, also for establishing a suitable Number of Artillery Regiments and a Corps of Artificers for sd Regiments.

Resolved, That the farther consideration of the report be postponed till to Morrow.

Resolved, That the Board of War send 300 lb. of gun powder to Colonel Mark Bird, to prove the cannon he has made for the United States.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, OCTOBER 10, 1776

Sundry petitions and memorials were laid before Congress, and read.

One from Daniel Morgan, and one from Captain Smith, Lieutenant Steel and Lieutenant Nichols, ||late returned from Canada.||

Resolved, That the said memorials be referred to the Board of Treasury, who are directed to liquidate and settle the accounts enclosed in the said memorials, and to pay or allow for such arms as were lost or taken by the enemy in the assault on Quebec.

A petition from Frederick Seegar desiring leave to resign his office as quarter master of the German batallion :

Resolved, That leave be granted.

A petition of John Melchior Neff, and one from Paul Fooks,¹

Resolved, That they be referred to the Board of War.

The Marine Committee having reeommended Captain Abraham Whipple, of the ship *Columbus*, to the command of the *Providence* frigate, at Rhode Island,

Resolved, That he be promoted accordingly.

The Committee farther reported on the rank of the captains of the navy of the United States, which was agreed to as follows :

	Guns.		Guns.
1. Jas. Nicholson, of the <i>Virginia</i> ,	28	16. Hoysted Hacker, <i>Hampden</i> ,	
2. John Manly, <i>Hancock</i> ,	32	17. Isaiah Robinson, <i>Andrew</i>	
3. Hector M ^r Neil, <i>Boston</i> ,	24	<i>Doria</i> ,	14
4. Dudley Saltonstall, <i>Trumbull</i> ,	28	18. John Paul Jones, <i>Providence</i> ,	12
5. Nicholas Biddle, <i>Randolph</i> ,	32	19. James Josiah,	
6. Thomas Thompson, <i>Raleigh</i> ,	32	20. Elisha Hinman, <i>Alfred</i> ,	28
7. John Barry, <i>Effingham</i> ,	28	21. Joseph Olney, <i>Cabot</i> ,	16
8. Thomas Reed, <i>Washington</i> ,	32	22. James Robinson, <i>Sachem</i> ,	10
9. Thomas Grennell, <i>Congress</i> ,	28	23. John Young, <i>Independence</i> ,	10
10. Charles Alexander, <i>Delaware</i> ,	24	24. Elisha Warner, <i>Fly</i> ,	
11. Lambert Wickes, <i>Reprisal</i> ,	16	Lieut. [John] Baldwin,	
12. Abraham Whipple, <i>Providence</i> ,	28	<i>Wasp</i> ,	8
13. John Hopkins, <i>Warren</i> ,	32	Lieut. [Thomas] Al-	
14. John Hodge, <i>Montgomery</i> ,	24	bertson,	4
15. William Hallock, <i>Lexington</i> ,	16	<i>Musquito</i> ,	

Resolved, That the Marine Committee be empowered to settle the rank of the lieutenants of the navy.

Resolved, That a committee of three be appointed to prepare the form of an oath to be taken by the officers of the army and navy :

The members chosen, Mr. [George] Wythe, Mr. [Thomas] Stone, and Mr. [Robert Treat] Paine.

¹ The petition from Neff is in the *Papers of the Continental Congress*, No. 41, VII, folio 1. That of Fooks is in No. 42, III, folio 1.

The Board of War brought in a report, which was taken into consideration: Whereupon,

Resolved, That General Schuyler be directed to take such steps as are necessary, for procuring a sufficient number of as large vessels as the navigation of the lakes will admit of, for the service of the states the next campaign, that the command of the lakes may be effectually secured:

That William Patton be appointed third lieutenant in Colonel Hand's regiment, in the place of Lieutenant Clark, resigned:

That the regimental pay masters in the army of these United States, have the rank of first lieutenants, and receive rations as captains:

That General Washington be directed to negotiate with General Howe, an exchange of the officers returned from Canada, and that they have a preference to the officers taken on New York and Long Island:

That General Washington be directed, if he shall judge it necessary, to sink the new ships mentioned in his letter of the 5th instant.

Resolved, That the farther consideration of the report be postponed.

The committee to whom was referred the case of William Faulkner, brought in their report, which was taken into consideration; Whereupon,

Resolved, That William Faulkner, a prisoner confined at Reading, be permitted to return to his family in Tryon county, upon giving his parole.

The committee appointed to devise a plan for providing carriages, brought in a report, which was taken into consideration; Whereupon,

Resolved, That the quarter masters in every department be ordered to avoid pressing horses and carriages,

as much as possible; and when it is necessary, that they be directed to go to the country houses for that purpose, and discharge, as soon as the service will possibly admit, such horses and carriages so impressed; and that no violence whatever be done to any persons, their horses or carriages, who go to the camp of their own accord, to sell provisions, or other necessaries of any kind.

An application from the council of safety of Pennsylvania was laid before Congress, and read, desiring that a committee of Congress may be appointed to confer with a committee of their body, on the expediency of having troops stationed near the city of Philadelphia, for the defence of Pennsylvania.¹

Resolved, That the Board of War be directed to confer with the committee of the council of safety.

A petition of William Mackay was presented to Congress, and read, praying for liberty to return home:

Resolved, That the prayer of his petition be granted.

Resolved, That the following promotions and appointments be made in the Virginia batallions, viz.

William Crawford, colonel of the 7th; his commission to be dated the 14th of August:

Josiah Parker, lieutenant colonel of the 5th; his commission to be dated the 13th August:

Thomas Elliott, colonel of the 4th; his commission to be dated the 3d September.

James Hendricks, lieutenant colonel of the 6; his commission to bear date 13 August:

¹This application, dated October 8, is in the *Papers of the Continental Congress*, No. 69, 1, folio 233. The Committee was David Rittenhouse, John Bayard, and Owen Biddle. In notifying the Council Benjamin Rush wrote on the 11th: "The board of war will set this morning at 9 o'clock at the war office, at which time and place they expect the pleasure of meeting your committee. I beg leave to inform the Council that such information was given yesterday in Congress respecting the designs of our enemies against this city, as makes the delay of a single day, or even an hour dangerous." *Pennsylvania Archives*, First Series, V, 38.

John Markham, major of 2d; his commission to be dated the 13 August:

John Seayres, major of the 4th; his commission to be dated the 13 August:

George Johnston, major of the 5th; his commission to be dated the 13 August:

Richard Parker, Jun^r major of the 6th; his commission to be dated the 13th of August:

William Taliaferro, major of the 3d; his commission to be dated the 13th of August:

John¹ Taylor, captain of the 1st; his commission to be dated the 29th of April:

That commissions be granted to the following persons in the third Virginia Regiment.

John Chilton, captain	}	Their commissions to bear date 29 April.
John Blackwell, first lieutenant		
Joseph Blackwell, 2d lieutenant		
John Ashby, captain	}	Their commission to bear date 18 March.
William Neilson, 1st lieutenant		
Isham Keith, 2d do.		
Nathaniel Ashby, ensign		

Charles Read, an ensign, in the room of Robert Dade.

Resolved, That commissions be made out to all the officers of the regiments in the service of the United States, who have been appointed in the places of others resigning and promoted, and bear dates the days on which the resignations and promotions were respectively made.

A memorial from George Measam was presented to Congress, and read:

Ordered, To lie on the table.

Resolved, That three members be added to the committee of cloathing, in the room of those who are absent:

¹ In the original Journal this was entered *Richard*.

The members chosen, Mr. [John] Witherspoon, Mr. [Thomas] Stone and Mr. [John] Penn.

Congress took into consideration the report of the Board of War of the 19th of September; Whereupon,

Resolved, That the inhabitants of Canada, captivated by the United States, and not taken in arms, be released and sent home, except St. Luke la Corne and Mons. Rouville, the elder, upon this condition, that they sign a parole that they will not take up arms against the United States, nor give intelligence to the enemies of these states:

That a register be kept of their names.

Resolved, That the Board of War order gun powder to be delivered for proving cannon for the United States, upon application to them for that purpose.

The Board of Treasury reported, that there is due,

To Joseph Donaldson, for supplies to recruits to General Lee's guard, and provisions to Captain Grier's company, and a guard with powder to Virginia, 20 60/90ths dollars:

To William Faulkner, a prisoner, sent by General Schuyler to Reading, for his allowance from the 9th day of April to the 7th of October, inclusive, being 26 weeks, at two dollars per week, 52 dollars:

To Captain Hazlewood, Captain Greenway and Mr. Bedford, a balance of 267 10/90ths dollars, their whole account of their charge for preparing six sail of fire ships at New York, and their expences going to, in, and coming from, New York to Philadelphia, being 392 10/90ths dollars; of which they have received from S. Moylan, Esq^r quarter master general, the sum of 125 dollars; the remainder is 267 10/90ths dollars.

Ordered, That the said accounts be paid.

Resolved, That to Morrow be assigned for appointing the commissaries of cloathing and deputy commissary of stores.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, OCTOBER 11, 1776

Two letters from General Washington, of the 7th and 8 October, with sundry papers enclosed, were laid before Congress, and read: Whereupon,¹

Resolved, That the release of Mons. de Chambault, as proposed by General Washington, on the request of the Count D'Emery, governor general of the French part of St. Domingo, be agreed to:

That the General's letters, with the papers enclosed, be referred to the Board of War.

Resolved, That General Washington be desired, if it be practicable, by every art, and whatever expence, to obstruct effectually the navigation of the North river, between Fort Washington and Mount Constitution, as well to prevent the regress of the enemies' frigates lately gone up, as to hinder them from receiving succours.

The Secret Committee informed Congress that a vessel was arrived at Rhode Island, with sundry articles imported by their order, for account of the United States.

Resolved, That the Secret Committee be directed to report in what manner the goods imported ought, in their opinion, to be disposed of.

Resolved, That Mr. S. Collins be requested to order the tents fit for use, which are found in the possession of

¹ These letters are in the *Papers of the Continental Congress*, No. 152, 111, folios 131, 139. They are printed in the *Writings of Washington* (Ford), IV, 482, 485.

William Barrel, lately deceased, to be delivered to Mr. Mease, for the army, and that the amount thereof be paid by Mr. Mease, on application of Mr. Collins, or other person properly authorized for that purpose.

Resolved, That the Marine Committee be directed to deliver over to the direction of the Committee of Secret Correspondence two of the continental cruisers now ready for sea, to perform such voyages as they shall think necessary for the service of these states:

That the Marine Committee give orders to the remainder of the continental cruisers, now in the port of Philadelphia, and ready for sea, to proceed on such voyages, or perform such immediate services, as the Secret Committee shall direct, in writing, addressed to the commanders thereof.

Resolved, That three members be added to the Committee of Secret Correspondence.

The members chosen, Mr. R[ichard] H[enry] Lee, Mr. [John] Witherspoon, and Mr. [William] Hooper.

The Marine Committee to whom was referred the account of Captain Martindale, brought in their report, which was taken into consideration; Whereupon,

Resolved, That there be paid to Captain Sion Martindale the sum of £43 5 3 lawful money, equal to 144 18/90 dollars, in full of expences and disbursements on the brig *Washington*, and other expences from Halifax to Casco Bay.

The Committee of Treasury reported, that Edward Snickers, of Virginia, produced an account of riddle guns and other articles, furnished for the use of Colonel Stevenson's battallion, amounting to £347 4 0, Virginia currency; of which Captain Abraham Sheppard is to account for £67 15, and the remainder, being £279 9, to be charged to the said battallion; that the said Snickers gives

credit for £64 16, money aforesaid, for so much received from Colonel Stevenson, the balance due to said Snickers being £282 8, equal to 941 30/90 dollars, ought to be paid to Thomas Rutherford:

That William Brady, of Colonel Stevenson's batallion, drew an order on Colonel Valentine Crawford, one of the executors of the late Colonel Stevenson, for the use of the said batallion, for the sum of 150 dollars, which order was paid by the said Crawford, and that he ought to be reimbursed the same, which is to be charged to the said Brady:

That they have had under consideration the accounts of Captain Daniel Morgan, amounting, with his own and three lieutenants' pay, the loss of riffles when he was taken at the storm of Quebec, expences of recruiting his company, repairing of guns which he is charged with, and ought to be allowed, in the whole, to 1,389 80/90 dollars:

That the said Morgan credits the several charges against him in the continental books, amounting to 1,614 8½/90 dollars; by which there appears to be a balance due to the public of 224 18½/90 dollars:

Ordered, That the said accounts be paid and credited, agreeable to the said report.

A petition from William Jenkins being laid before Congress was read.

Ordered, That it be referred to the Board of Treasury.

Resolved, That General Washington be empowered to appoint a deputy commissary of stores for the army near New York.

The committee appointed to prepare the form of an oath, to be taken by the officers of the army and navy, brought in the same, which was read:

Ordered, To lie on the table.

Resolved, That a member be added to the Marine Committee, in the room of Mr. [Stephen] Hopkins, who is absent.

The member chosen, Mr. [William] Ellery.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, OCTOBER 14, 1776

A letter of the 12 from General Lee;

One from General Gates, of the 30 September;

One from General Mercer, of the 10 October; and

One from Joseph Trumbull of the 1, advising that he has drawn on the president in favour of Colonel Lowry, for 60,000 dollars;¹

One from General Washington, of the 7, enclosing a letter from Dr. Morgan, were laid before Congress, and read.

Resolved, That the letters from Generals Lee and Mercer be referred to the Board of War:

That the letter from Dr. Morgan, enclosed in General Washington's letter, be referred to the Medical Committee.

A petition from Francis Mentges was presented to Congress, and read, and referred to the Board of War.²

The Board of War, to whom were referred General Washington's letters, of the 7 and 8 instant, brought in their report, which was taken into consideration: Whereupon,

Resolved, That General Washington be informed the Congress approve of his appointing Mons' P. Penet his aid

¹The letter of Gates is in No. 154, I, folio 105. That of Mercer is in No. 159, folio 190. That of Trumbull is in No. 78, XXII, folio 145.

²This petition, dated Camp, at Head Quarters, September 29, is in the *Papers of the Continental Congress*, No. 78, XV, folio 109. It has an endorsement by E. Rutledge "Improperly referred to the Board of War."

de camp by brevet, and that a commission of aid de camp be accordingly transmitted to him :

That the several states in which prisoners have been lodged, be desired to furnish Congress with an account of such expences as have been incurred by the said states, respectively, on account of the said prisoners :

That all Prisoners captivated by the Army of the United States, whether Mechanics or not, be included in the exchange
 postpon'd to be made between General Washington and the Enemy.

That the sum of 500,000 dollars be immediately sent to the pay master general, that he may be enabled to pay the bounty to such of the troops as shall re-inlist, to serve during the war.¹

Resolved, That the farther consideration of the report be postponed.

The committee appointed to hear and determine upon the appeal brought against the sentence passed on the libel, ||Joshua Wentworth|| *vs.* the ship *Elizabeth*, reported as follows :

Joshua Wentworth Esq. for and in behalf as well of the United States of America, as of John Manly, Daniel Waters and John Ayres, commanders of the officers, marines and mariners, of the three armed vessels *Hancock*, *Lee* and *Lynch*, in the service of the said states, having exhibited a libel before Joshua Brackett, Esq. judge of the court maritime of the state of New Hampshire, against the brigantine *Elizabeth*, commanded by Peter Ramsay, and her cargo, and Richard Hart, of Portsmouth, in New Hampshire, owner of the said brigantine, and William Jackson and others, of Boston, in the state of Massachusetts bay, owners of sundry goods and merchandise on board of her, having put in their several claims thereto, and the said judge of the court aforesaid, having, on the 21 day of August, in the year of our Lord 1776, decreed and ordered the said brigantine, and so much of her cargo as was claimed to be restored to the respective claimants, and

¹This report, dated "At a Board of War, October 12th, 1776," and in the writing of Edward Rutledge, is in the *Papers of the Continental Congress*, No. 147, I, folio 7.

that the claimants recover their legal costs of court, from which decree and sentence the said Joshua Wentworth appealed to Congress.

The committee of Congress, to whom it was referred to hear and determine the said appeal, have diligently inspected the proceedings, and heard the parties by their counsel, and it appearing that on the 1st day of October, in the year of our Lord 1775, General Gage, commander in chief of the British forces, then in Boston, in the state of Massachusetts bay, by his commission to Crean Brush, Esq. directed him to receive into his care, all such goods, chattels, and effects of the inhabitants of that town, some of whom had departed from it, as might be voluntarily delivered into his charge by the owners, or by other persons with whom they were left, giving his receipts for them and to deliver them to the owners, when he should be required; that, on the 10th day of March then following, General Howe, who had succeeded General Gage in the command of the British forces, by his commission to the said Crean Brush, reciting, that as he was informed there were large quantities of goods in Boston, which, if in the possession of the rebels (as he termed the Americans) might enable them to carry on war, and that he had given notice to all loyal inhabitants to remove such goods from thence, and that those who should not remove them, or deliver them to the care of the said Crean Brush, would be considered as abettors of rebels, required him to take into his possession all such goods as answered that description, and give certificates to the owners that he had received them for their use, and would deliver them to the owners, unavoidable accidents excepted, and to seize any such goods, as, upon enquiry, should be found secreted, or left in stores, and to put them on board of the *Minerva* ship, or brigantine *Elizabeth*. That, thereupon, the said Crean Brush, assisted by other persons, took into his possession the goods of the claimants, amongst others, and put them into the said brigantine *Elizabeth*, and other vessels in the harbour of Boston, without the knowledge of some of the owners, and without the consent of all the others, unless it be William Jackson and James Jackson, of whose consent, however, there are no other proofs, than that one of them went with his goods, and watched there on the wharf from whence they were shipped, and that the other was a passenger in the said brigantine *Elizabeth*, in her voyage towards Halifax. That the said Crean Brush, by certificates under his hand, acknowledged several parcels of the said goods to be in his custody, and engaged to preserve them safely, to make up exact invoices thereof, and, with the approbation of the commander in chief,

to return them to the owners. That, on the 29th day of March afterwards the said Peter Ramsay, by orders from Admiral Shuddham, of the British fleet, given about eight days before, went on board the said brigantine *Elizabeth*, into which some of the claimants' goods had been shifted from the other vessels; and the same day, between the hours of three and four o'clock in the afternoon, sailed with her, under convoy of the British ship of war *Niger*, for Halifax, in Nova Scotia, and that, on the Tuesday following, the said John Manly, in the *Hancock*, coming up with the said brigantine *Elizabeth*, which had, in the mean time, parted from her convoy, fired a broadside at her, which was returned by a volley of small arms; when the said Daniel Waters, in the *Lee*, and the said John Ayres, in the *Lynch*, joining the said John Manly, the said Peter Ramsay struck, it being about four or five of the clock in the afternoon, and the said brigantine was seized and carried into Piscataqua river in New Hampshire; whereupon, the committee, after mature deliberation, are of opinion, that the said brigantine *Elizabeth* is not comprehended in the description of vessels, which, with their cargoes, by the resolutions of Congress of the 25th day of November last, may be forfeited, not being an armed or a transport vessel employed in the present war against the United States, nor carrying provisions, or other necessaries, to the British army or navy, within any of the United Colonies: and that the cases of re-captures, mentioned in the resolution of Congress of the 5th day of December last, adjusting the proportions of salvage, those cases only were intended, in which the vessels and their cargoes remaining in possession of the enemy, might, by the law of nations, be condemned as prize, which is conceived not to be the case of the said brigantine *Elizabeth* and her cargo; but, that notwithstanding it was the duty of the re-captors to recover the said brigantine and her cargo, and that the owners, who otherwise might, and probably would, have lost their whole property, ought to make a reasonable satisfaction; and that, therefore, the said sentence is erroneous, and ought to be reversed and annulled: That the said brigantine *Elizabeth*, and such parts of her cargo as were claimed in the said court maritime, be restored to the respective claimants, upon their paying, to the United States, and the re-captors, $\frac{1}{12}$ th part of the value thereof, to be determined by the appraisement of appraisers on oath, appointed by the judge of the said court: That the residue of the cargo be sold, and the proceeds, after deducting the like proportion and for the same uses, retained for the persons who shall hereafter prove their right to

the same; that William Burk, commander, and the marines and mariners of the *Warren*, an armed vessel in the service of the United States, who claimed a part of the said brigantine *Elizabeth* and her cargo, as being joint captors, are not entitled to a share of the salvage, it not appearing that they were present, or in sight, at the time of the re-capture: And that the appellants recover against the claimants their costs as well in the said court maritime, as in the prosecution of their appeal here; and that the cause be sent back to the said court maritime, for that court to proceed in carrying this sentence into execution.¹

Resolved, That Congress agree to the said report.

Resolved, That such part of the twelfth, adjudged in the foregoing report to be paid in lieu of salvage, as belongs to the United States, be released, and given up to the owners of the goods.

The committee on the state of the prisoners, brought in a report, which was read:

Ordered, To lie on the table.

The Board of Treasury, in order for the more regular settlement of accounts, proposed sundry queries to Congress: Whereupon,

Resolved, That no allowance be made to officers for any arms lost or taken from them by the enemy:

¹ "Yesterday, the Committee appointed to hear the appeal from the Maritime Court in New Hampshire, concerning the *Elizabeth*, made their report, which was accepted. They have reversed the sentence of our court, and have ordered a salvage of one-tenth part to be paid by the claimants, as she did not come under the order of Congress of November and December last. Afterwards, the Congress, by a vote, gave up to the said claimants their share of the said tenth, so that they will have but one-twentieth part to pay, beside the costs.

"The same Committee have had Mr. Sheafe's petition under their consideration, but have made no report. By what I have conversed with them, I believe they will not think themselves authorized to do any thing in that affair, as there is no appeal from the court to the Congress, and the opposite party not present to be heard in the case, and nothing but the petition, without any thing more before them. They all say the case appears to be hard, but know not how to remedy it, without more proofs than they have at present, and without the opposite party being heard, and the case brought properly before them." *Josiah Bartlett to John Langdon*, 15 October, 1776. Force, *American Archives*, Fifth Series, 11, 1063.

That the allowance to officers of $1\frac{1}{3}$ dollars ~~bounty~~ for enlisting soldiers be not extended or given on the reenlistment of the soldiers in camp.¹

That no officer, holding two appointments in the continental army, be paid for more than one, after notice was given to the commanders of the respective armies, of the resolution of Congress against officers holding double commissions.

Resolved, That a committee of three be appointed to devise ways and means for supplying the treasury with a farther sum of money:

The members chosen, Mr. R[ichard] H[enry] Lee, Mr. [James] Wilson, and Mr. [Lyman] Hall.

Resolved, That a committee of three be appointed, to consider what is to be done with negroes taken by vessels of war, in the service of the United States:

The members chosen, Mr. [James] Wilson, Mr. R[ichard] H[enry] Lee, and Mr. [Samuel] Huntington.

Resolved, That 600 dollars be advanced to Mr. R. Erwin, waggon master; he to be accountable.

Resolved, That the Board of War be directed to give orders to the Virginia troops, on their march to New York, to halt at Trenton, till farther orders.

Resolved, That the colonels of the New Jersey militia, make out regular pay rolls of such of the troops as have been under their command, when called into the continental service, and have not been paid by the convention of the said state:

That one penny a mile be allowed, in lieu of rations, to such men as have paid their expences while on their march to and from the camp, from and to their respective homes.

That such rolls be attested by the oaths of the commanding officer and captains of the respective regiments,

¹ "Repealed Nov." is written in the margin.

and paid by warrants on the pay master there, from General Mercer, or the commanding officer in that department; he paying due attention to the resolves of Congress transmitted herewith:

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, OCTOBER 15, 1776

A letter from General Washington of the 11, 12 and 13th;¹

One of the 10th from General Lee;

One from General Schuyler, of the 10th [6th]

One from General Greene, of the 10th;

One from J[oseph] Trumbull, of the 9th;

One from Seth Warner, of the 4th;²

One from Brigadier General Lewis of the 4th, were laid before Congress, and read.

Resolved, That the letters from General Washington, General Lee, and Mr. Trumbull, be referred to the Board of War:

That the letter from General Greene be referred to the Medical Committee.

That the letter from General Lewis be referred to the Board of Treasury.

Application being made to Congress by John Foxcroft, Esq. for leave to go to New York, to remove his family from the horrors of war, and relieve them from the distress in which they are at present involved:

¹This letter is in the *Papers of the Continental Congress*, No. 152, III, folio 149.

²The letter from Lee is in the *Papers of the Continental Congress*, No. 158, folio 81; that of Schuyler is in No. 153, II, folio 449; that of Greene is in No. 155, I, folio 7; that of Trumbull is in No. 78, XXII, folio 151; and that of Warner is in No. 78, XXIII, folio 315.

Resolved, That that leave be granted him, upon giving his parole to the Board of War; he not to set out on his journey before next week.

The Board of War brought in a report, which was taken into consideration: Whereupon,

That a Muster Master be immediately appointed to the Flying Camp
postpon'd with orders to proceed immediately to Amboy.

Resolved, That General Gates be informed, that Congress have it not in their power at present to supply him with the artillery he desires, but will procure such as soon as possible:¹

That two independent companies, consisting of fifty men each, be immediately raised, to be commanded by Lieutenant Whitcomb, who should be appointed captain commandant; that he nominate the officers of the said two companies, who are to be appointed when approved of by the commanding officer of the northern department.

That Col: John Philip De Haas, being strongly recommended for
postpon'd Promotion by General Gates, be appointed a Brigadier General in the Army of the United States.²

Resolved, That the further consideration of the said report be postponed.

William Davies, who was appointed deputy muster master general of the flying camp, having requested leave to resign that commission,

Resolved, That leave be granted, and that to Morrow be assigned for appointing a deputy muster master general for the flying camp.

Resolved, That 27 dollars be advanced to the captain of the guard that is appointed to attend the waggons carrying goods to Ticonderoga.

¹This sentence in the report read: "with Artillery of any kind whatever."

²This report, in the writing of Richard Peters, and dated "at a Board of War, Oct. 14, 1776," is in the *Papers of the Continental Congress*, No. 147, I, folio 9.

The Committee of Treasury reported, that there is due to the following persons, and a warrant to be drawn in favour of Mr. Thomas Armour, for the amount being 913 43/90 dollars, viz.

To Peter Schlemmer for victualing the militia on their march to New Jersey		43. 42
To Frederic Rummel for do		65. 49
To William Thompson victualing General Lee's guard		50. 71
To Eliza Kuntz, for victualing militia	4. 86	
for supplies to army	23. 55	
for do to sick and wounded	36.	
	<hr/>	64. 51
To George Stahl, for do to militia on their march	84. 45	
for do to army	2. 9	
	<hr/>	86. 54
To Adam Gartner, for do to do	30. 8	
for do to militia on their march	88. 13	
for do to sick soldiers in small pox, belonging to General Lee's guard	142. 65	
	<hr/>	260. 86
To sundries, for do to militia on their march	44. 62	
for do to sick of General Lee's guard	4. 0	
for do to General Lee's guard	7. 42	
	<hr/>	47. 49
To Elizabeth Robinson, for do to do		12. 48
To Andrew Nebbinger, for do to militia on their march		39. 86
To Godlup Zigel, for do to General Lee's guard		9. 19
To Zach ^s Sturgent, for do to sick of do	4. 50	
for do to sick of General Lee's do	4. 17	
	<hr/>	8. 67
To Martin Brenesy, for do to do		40. 0
To Fred: Rumble, for do to do	12. 17	
for do to sick of do	60. 16	
	<hr/>	72. 33
To Jacob Bushong, for do to do of do		58. 27
To Daniel Kyser, for do to do of do		29. 66
To And ^r Hortzeg for repairing arms of General Lee's guard		23. 15
	<hr/>	913. 43

To Baltzar Spangler, and to be paid to Thomas Armour, for victualling a part of General Lee's guard, nursing in small pox, &c. at York town, and for provisions supplied the militia, &c., 158.12 [dollars]

To Lieutenant Francis Nichols, of the late Captain

Hendricks's company, for two months' pay extraordinary to the following officers, viz.

To the late Captain Hendricks, killed at the assault of Quebec,	-	-	-	-	-	53.30
To Lieutenant John M'Cleland, who died on the march to ditto,	-	-	-	-	-	36.0
To said Lieutenant Nichols,	-	-	-	-	-	36.0
For the use of the executors of Captain Hendricks inlisting money, when the company was raised, 85 men, at 1 dollar and 1/3,	-	-	-	-	-	113.30

The whole amounting to - - 238.60

That there should be advanced to Lieutenant Francis Nichols, for the purpose of paying the soldiers of his company returned from Quebec, the sum of 1,753 30/90 dollars until he can settle the accounts of the company; for which he is to be charged:

Ordered, That the said sums be paid accordingly.

Resolved, That two members be added to the Committee of Treasury:

The members, chosen, Mr. [George] Wythe and Mr. [James] Smith.

The Secret Committee having, agreeable to the order of Congress, taken into consideration how to make the best distribution of the cargo lately arrived at Providence, Rhode Island, in the brig *Happy Return*; brought in their report; Whereupon,

Resolved, That a copy of the invoice of the cloths and blankets be sent to General Mifflin, ||quarter master general,|| with an order to Messrs. Browns, of Rhode Island, to deliver the whole to his order, and that it be recommended to the said quarter master general, to have the cloths immediately made up for the soldiers, either in Rhode Island, Connecticut, or by the taylors in the army,

as may be thought best by General Washington and himself:

That Messrs. Browns be directed to deliver to the continental agent, at Rhode Island, the remaining part of the cargo, with orders to apply the lead, bullets, flints, muskets and powder, to the use of the continental frigates and cruisers, or such part thereof as may be wanted for that service, and the rest to remain for future orders:

That the said agent be directed to buy as much good fat beef and pork, as can be cured by the salt in his possession, for the use of the navy:

That the agent be directed to forward the sulphur of the said cargo to the powder mills in Connecticut and Rhode Island, and the five tons of salt petre, formerly sent by Congress from Philadelphia to Rhode Island, from thence to the powder mills of Messrs. Livingston and Wisner, on the North River, in the state of New York, to be manufactured into gun powder, for the continental service.

Resolved, That 40,000 dollars be sent to R. Dallam, Esq. deputy pay master general, for the use of the militia and flying camp; he to be accountable.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, OCTOBER 16, 1776

Sundry letters being received, were laid before Congress, and read: viz.

One from E. Pendleton, Esq. speaker of the assembly of Virginia, of the 9 October;

One from Thomas Jefferson, of the 11th, and

One from Jos. Trumbull, of the 12th, informing that

he has empowered Carpenter Wharton to purchase salt to the westward of New Jersey, and as much pork, for the use of the army, as salt can be had for, and requesting that he may be supplied with such sums of money as may be necessary for this purpose, to be charged to said J. Trumbull:¹

Resolved, That Mr. Wharton be supplied with money for the purpose aforesaid.

Resolved, That the sum of £5,040 18 5 lawful money, equal to 16,803 6/90 dollars be paid to Brigadier General Thomas Mifflin, or order, and charged to the account of Jonathan Trumbull, Jun. Esq. deputy pay master general in the northern army; the same being in full of a draught in his favour, by John Pierce, Jun. assistant pay master, in behalf of the said J. Trumbull, dated Albany, October 7, 1776, it being so much stopped for him from the pay of several regiments at Ticonderoga, by the said pay master.

Congress proceeded to the election of a commissary of cloathing for the northern army; when, the ballots being taken,

George Measam was elected.

Resolved, That George Measam be allowed the pay and rations of a major in the continental service.

That the commander in chief in the northern department, appoint suitable persons to appraise, on oath, and deliver to the said commissary, all articles of cloathing there, belonging to the United States, and transmit his receipts, with the appraisement, to the treasury office in Philadelphia:

That the said commissary employ suitable persons to make the cloathing, and add to the appraised value of the

¹The letter from Pendleton is in the *Papers of the Continental Congress*, No. 71, 1, folio 61. That of Trumbull is in No. 78, XXII, folio 155.

goods, the charges of making; and that he deliver the same to the regimental pay masters, agreeable to the orders he may receive from the commander aforesaid.

Resolved, That General Washington be empowered to appoint a commissary of cloathing for the army under his immediate command, and that he be empowered to appoint a deputy muster master general for the flying camp.

Resolved, That one ton of powder be sent to North Carolina, for the use of the continental forces in that state.

A letter, from John Roche, of the 1 October, was laid before Congress, and read:

Resolved, That it be referred to the Marine Committee, who are ~~directed to report thereon~~ empowered to do therein what they think proper.

Congress took into consideration the report of the committee on the state of the prisoners; Whereupon,

Resolved, That William Livingston, Esq. governor of New Jersey, be informed, that Congress have considered his letter relative to certain prisoners confined in Somerset gaol, and being unacquainted either with their characters, or the causes of their being apprehended, request him to enquire into the same, and report to Congress their names and characters:

That soldiers and sailors, confined in gaol, be hereafter allowed 1 1/3 dollar per week; the allowance of one dollar being found not to be sufficient to support them comfortably.

Resolved, That the remainder of the report be recommended.

The Marine Committee, to whom were referred the petition of B. Marshall & Brothers, and certain propositions from the state of Massachusetts bay, brought in their report, which was taken into consideration; Whereupon,

Resolved, That what relates to the petition of B. Marshall & Brothers be postponed to Wednesday the 23d instant.

Resolved, That it be recommended to the general court of Massachusetts bay, to give the continental agent the full weight of their influence to make the frigate *Hancock* ready for sea immediately; that whatever expence shall accrue to the state of Massachusetts bay, either for procuring guns or other stores for fitting the said frigate, shall be reimbursed on demand; and that, in directing the cruise of the said frigate, the Congress will pay all the regard to the protection of the commerce of Massachusetts bay, that the zeal of that state, in the common cause, justly entitles it to.

A petition from Captain C. Roberts was presented to Congress, and read.

Resolved, That it be referred to Mr. [George] Walton, Mr. [Francis] Hopkinson, and Mr. F[rancis] L[ightfoot] Lee, who are directed to enquire into the state of facts, and report to Congress.

A memorial from the Chevalier d'Antignac was presented to Congress, and read.

Resolved, That it be referred to the Board of War.¹

A memorial from Colonel D. Campbell was presented to Congress, and read; Whereupon,

Resolved, That the commanding officer in the northern department be desired to confirm or disapprove the sentence of the court martial on Colonel D. Campbell, as he, upon mature judgment, shall think proper, and report to Congress.

Whereas sundry prizes have been heretofore taken by the cruisers fitted out by General Washington, at the con-

¹ This memorial is in the *Papers of the Continental Congress*, No. 41, II, folio 404.

tinental expence, and on continental accounts, and no accounts thereof have yet been rendered by the agents who received and sold the said prizes; and, whereas, a just distribution of such shares of the said prizes as are due to the officers and men, agreeable to the rules and regulations of Congress, ought to be made;

Resolved, That the Marine Committee be empowered to order such distribution of the said prize money amongst the parties interested therein; and that they recover from the said agents the continental share of all the said prizes:

That the present continental agents do account with the Marine Committee, from time to time, for the continental share of all prizes received and sold by them, and that they pay the amount of such prizes to the order of the said committee:

That the said agents make just distribution of the shares in all prizes that appertain to the officers and crews of the continental ships of war, agreeable to the rules and regulations of Congress, as soon after the sales of each prize as possible:

That the Marine Committee apply all the prize money they receive from the agents, to the service of the marine department, and hereafter render accounts thereof to Congress:

That the Marine Committee report, from time to time, all sums of money they receive for prizes to the treasury, in order that the same may be charged to their account in the treasury books.

The Board of Treasury reported, that there is due,

To Captain Sion Martindale and Lieutenant Moses Turner, for their pay and rations from the 1st of January to the 14 October, 1776, the sum of 572 76/90 dollars.

Ordered, That the said account be paid.

Additional instructions to B. F., S. D., and T. J., commissioners from the United States of America to the king of France.

Whilst you are negotiating the affairs you are charged with at the court of France, you will have opportunities of conversing frequently with the ministers and agents of other european princes and states residing there.

You shall endeavour, when you find occasion fit and convenient, to obtain from them a recognition of our independency and sovereignty, and to conclude treaties of peace, amity and Commerce between their princes or states and us, provided, ~~the terms thereof be first imparted to his most christian majesty and approved of by him, that they~~ that the same be not inconsistent with the treaty you shall make with his most christian majesty, that they do not oblige us to become a party in any war which may happen in consequence thereof, and that the immunities, exemptions, privileges, protection, defense and advantages, or the contrary, thereby stipulated, be equal and reciprocal. If that cannot be effected, you shall, to the utmost of your power, prevent their taking part with Great Britain in the war which his britannic majesty prosecutes against us, or entering into offensive alliances with that king, and protest and present remonstrances against the same, desiring the interposition, mediation and good offices on our behalf of his most christian majesty, the king of France, and of any other princes or states whose dispositions are not hostile towards us. In case overtures be made to you by the ministers or agents of any european princes or states for commercial treaties between them and us, you may conclude such treaties accordingly.¹

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, OCTOBER 17, 1776

A petition from Henry Kepple was laid before Congress, and read, setting forth, that he hath entered an appeal against the sentence passed on the ship *Charming*

¹This report, in the writing of George Wythe, is in the *Papers of the Continental Congress*, No. 25, 1, folio 1. It was laid before Congress some time after September 26, and is endorsed: "Postponed. Agreed to October 16, 1776," but no entry appears in the Journals.

Peggy, and praying that a convenient day may be assigned for hearing the said appeal:

Resolved, That a committee of five be appointed, with full power to hear and determine upon the said appeal:

The members chosen, Mr. [Samuel] Huntington, Mr. [Robert Treat] Paine, Mr. [George] Wythe, Mr. [James] Smith, and Mr. [James] Wilson.

Resolved, That a committee of three [four] be appointed to review such of the resolutions of Congress as relate to the capture and condemnation of prizes, and report what alterations or additions should be made respecting the same:

The members chosen, Mr. [George] Wythe, Mr. [Edward] Rutledge, Mr. [Robert Treat] Paine, and Mr. [Samuel] Huntington.

A petition from Carpenter Wharton was presented to Congress, and read:

Resolved, That it be referred to the council of safety of Pennsylvania.

Resolved, That a commissary be appointed to supply the batallion, commanded by Colonel Mackay, with provisions; the ballots being taken,

Ephraim Blaine, Esq. was elected.

Resolved, That Mr. Francis Lewis, Jun. be permitted to go to the state of New York with Mr. Foxcroft.

The committee, to whom was re-committed the report on the state of the prisoners in the gaol of Philadelphia, brought in a farther report, which was taken into consideration; Whereupon,

Resolved, That the prisoners from North Carolina be permitted to return to their families, if the convention of that state shall be of opinion they may so do, without danger to that or any other of the United States; and, in the mean time, that bedding, blankets, and other neces-

saries, be furnished the gaoler, by Mr. Mease, for the use of such prisoners as are unprovided with them:¹

That Captain M'Kenzie be permitted to apply to the state of North Carolina for liberty to return there; and, in the mean time, that he be allowed ten dollars to bear his expences to Lancaster county:

That Lieutenant M'Clean, an half pay officer, taken in Canada, be permitted to reside at Reading on giving his parole.

Resolved, That a Committee of Intelligence be appointed to select and report such authentic accounts, as are, from time to time, received by Congress, of the state of the armies and navy of the United States, as they shall judge proper to be published by authority of Congress:

The members chosen, Mr. [Benjamin] Rush, Mr. R[ichard] H[enry] Lee, and Mr. [Francis] Hopkinson.²

Resolved, That a committee be appointed to bring in a plan for the better regulating the treasury board:

The members chosen, Mr. [Elbridge] Gerry, Mr. [Philip] Livingston, and Mr. [Francis] Hopkinson.

Mr. Duché having, by letter, informed the president, that the state of his health, and his parochial duties, were such, as obliged him to decline the honour of continuing chaplain to the Congress,

¹ A petition from these prisoners is in the *Colonial Records of North Carolina*, X, 888.

² "Congress have appointed a 'Committee of Intelligence,' to select and publish such intelligence as Congress shall receive from time to time, and it shall be proper to publish. That committee have, in this week's papers, published an account of the sea fight on the lake, but omitted some particulars which I have mentioned. They have also given the public such intelligence as hath been received from the army in the middle department. . . . At this critical period, when we have so much at stake, every friend to his country is anxious to know every thing that takes place. Sensible of this Congress, as I have already mentioned, have appointed a committee of intelligence, whose publications may be relied on: and if the accounts which Congress receives from the armies are particular, the public will be gratified so soon as posts can convey the newspapers to the different states." *William Ellery to Governor Cooke*, 26 October, 1776. Rhode Island in the Continental Congress, 94, 95.

Resolved, That Mr. president be desired to return the thanks of this house to the Rev. Mr. Duché, for the devout and acceptable manner in which he discharged his duty during the time he officiated as chaplain to it; and that 150 dollars be presented to him, as an acknowledgment from the house for his services.

The Committee of Treasury reported, that there is due,

To Captain A. H. Brice, for his allowance as an officer prisoner, from 19th April, to 17 October, 1776, inclusive, being 26 weeks, at 2 dollars a week, 52 dollars:

To Captain Thomas Hesketh, for his allowance from 20 July to 19 October, inclusive, being, 13 weeks, at 2 dollars a week, 26 dollars:

To George Haas, for the hire of his waggon and his expences with money from Philadelphia to Boston, 131 24/90 dollars:

To Colonel Hausegger, for the expence of himself and two prisoners from Ticonderoga to Philadelphia, 57 9/90 dollars:

To Captain Matthew Smith, to be paid to Lieutenant Archibald Steel, for inlisting his company, consisting of 80 men, at 1 1/3 dollars each, 106 60/90 dollars:

That they have examined the accounts exhibited by Lieutenant Archibald Steel, of Captain Smith's company, for the pay of 34 officers and privates, and of Adjutant Christian Febiger, taken prisoners at Quebec, amounting to £590 15 [=1,575 30/90 dollars,] (exclusive of the pay of one serjeant, one corporal and 12 privates, who inlisted in the service of the king of Great Britain, amounting to £178 15 [=476 60/90 dollars] which is retained) with £117 17 6 [=314 30/90 dollars] received from Mr. Mease, leaves a balance due to the said Steel of £472 17 6 equal to 1,261 dollars:

That there is due, to George Steyer, for linens furnished, and to be charged to Captain John Nelson for the use of his company, 24 dollars:

To Adam Zantzinger, for the hire of two waggons, and the expences of an escort of light horse with money from Philadelphia to the camp, near New York, 150 60/90 dollars:

To William Clayton, for provisions supplied the militia on their march to New Jersey, 24 27/90 dollars:

To John Bates, for 499 camp kettles delivered by him to Gustavus Risberg, assistant to the deputy quarter master general, 665 30/90 dollars:

To William Bentley, and to be paid to Colonel Stricker, for provisions supplied the Virginia troops on their march, 17 54/90 dollars:

To Joseph Bentley, for provisions supplied the militia and flying camp, on their march to New Jersey, 19 72/90 dollars:

To Nicholas Bazin, a Canadian prisoner, for his allowance from 3d March to 17 October, is 32 5/7 weeks, at 2 dollars a week, is 65 38/90 dollars.

Ordered, That the above accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, OCTOBER 18, 1776

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That Thaddens Kosciuszko, Esq., be appointed an engineer in the service of the United States, with the pay of sixty dollars a month, and the rank of colonel.

The committee to whom the petition of Colonel M. Hazen was referred, brought in their report, which was read.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, OCTOBER 21, 1776

A letter, of the 14 and 17, from the general's secretary,¹ Robert [Hanson] Harrison;

One, of the 18, from General Washington,² with copy of a letter from General Arnold, and sundry papers;

Two from Brigadier General Mereer, of the 17 and 19;

One from Kenneth Hankanson, captain of a vessel stranded on the Jersey shore, were laid before Congress, and read:

Resolved, That they be referred to the Board of War.

A letter from R. Dallam, of the 13, was also read;³ Whereupon,

Resolved, That the sum of 19,740 dollars be paid to Gustavus Risberg, assistant to the deputy quarter master general for the flying camp, and charged to the account of said R. Dallam.

That 500,000 dollars be sent to the deputy pay master general for the northern department [Jonathan Trumbull]:

That 2,000 dollars be advanced to the delegates of North Carolina, to be charged to that state.

A letter from Colonel James Easton, of the 5, was read.⁴

¹This letter is in the *Papers of the Continental Congress*, No. 152, III, folio 155.

²*Ibid.*, folio 159.

³*Ibid.*, No. 78, VII, folio 67.

⁴*Ibid.*, VIII, folio 255.

The Secret Committee having informed Congress that a vessel was arrived in New Hampshire, with a cargo on account of the Continent, among which was a quantity of flints,

Resolved, That the Secret Committee be directed to order 30,000 of the said flints to General Schuyler, for the use of the army in the northern department, and the remainder to General Washington, for the use of the army under his immediate command.

A letter of the 20, from General Greene, being received, was read:¹

Resolved, That it be referred to the Board of War, and that they be directed to apply to the council of safety of Pennsylvania for the loan of as many cartridges as they can possibly spare, which are to be sent, with all possible despatch, to General Washington; and that the said Board be directed to take the most effectual measures to have a sufficient quantity of cartridges made up in Philadelphia, and forwarded to General Washington.

That the powder in the magazine be kept for the public service.

Information being given that there is a quantity of lead for the use of the Continent at the lead mines in Virginia,

Resolved, That the Board of War be directed to give orders to have it brought to Philadelphia.

A memorial from Monsieur Dorre was presented to Congress and read:

Ordered, That it be referred to the Marine Committee.

A letter, of the 20th, from Robert [Hanson] Harrison, the General's secretary, enclosing a copy of one from General Gates of the 15, and one from General Arnold, of the 15, and one from General Schuyler, of the 16;

¹This letter is in the *Papers of the Continental Congress*, No. 155, 1, folio 11.

Also, a letter of the 16, from General Schuyler;

One of the 19, from the convention of New York, inclosing a letter from General Schuyler ||being received, were read:||¹

Resolved, That the said letters be referred to the Board of War.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That the deputy commissary general in Virginia be directed to make contracts for the supply of the troops in that department, provided they can be made at a rate not exceeding eight pence, Virginia currency, per ration, the contractors to have the use of the public wag-gons on any motion or march of the army, from the place or places where stationed:

That the commander in chief of each department be empowered, at the instance of the commissary general, or his deputies, to employ as many persons under him or them, at such salary or wages as he shall think adequate, and as he may think the service, from time to time, requires:

That the rations allowed to the several officers on the staff in the army of the United States, not heretofore settled, be as follows, and that the deputy commissary of Virginia be informed thereof:

To the deputy quarter master general, 6 rations; deputy commissary general, 6 do. deputy pay master general, 6 do. deputy adjutant general, 6 do. deputy muster master general, 6 do. deputy judge advocate, 6 do. chaplain, 3 do. regimental surgeons, 3 do. mates, 2 do.

That the deputy commissary general of Virginia be

¹The letter from Schuyler is in the *Papers of the Continental Congress*, No. 153, II, folio 459; that of Mercer is in No. 159, folios 194, 198; that of the Convention of New York is in No. 67, I, folio 344.

allowed his reasonable travelling charges, to be settled by the Treasury Board.

The Committee of Treasury reported, that they have examined the following accounts paid by John Gibson, Esq. auditor general, by order of the Board, amounting to 687 27/90 dollars; of which he received, the honorable the president of Congress, his warrant, for 500 dollars, and there remains a balance due him of 187 27/90 dollars.

	<i>Dts. 90ths.</i>
For parchment for the use of the Treasury office, - - -	2 0
George Hofnagle's account for 15 of the militia, - - -	1 45
John Sparhawk's account for quills, paper books, &c. for the use of the commissioners sent to Albany, - - - - -	40 0
Henry Deering's account for entertaining militia, - - -	16 18
Andrew Smith's account for do. - - - - -	12 78
Joseph Sheerer's account for do. paid Thomas Wiggins - - -	14 20
John Druit, for Bernard Romans' order, to be charged Romans, - - -	16 0
Conrad Alster's account for entertaining militia on their march, - - -	5 45
Philip Upright's do. for do. and guard to powder for Virginia, - - -	3 6
John Nice's do. for do. - - - - -	17 36
Levi Hollingsworth's account for escorting money to Amboy, - - -	16 75
William Perkins, for supplies to troops, - - - - -	2 84
Porterage of a box with the Massachusetts paper, - - - - -	6
Captain Read's account of expences of his company on their march to camp, - - -	40 72
Captain Whely's account of do. - - - - -	27 54
Captain M'Kenzie, for subsistence, - - - - -	3 39
M. Lotbinier, a French chaplain, one month's pay and rations, - - -	41 30
Benjamin Condy, for cake-ink, - - - - -	6 36
Thread for the use of the office, - - - - -	15
Secretary Peter's order for transporting Lientenant Symes's baggage, - - -	10 30
Allen M'Donald, Sen. Allen M'Donald, Jun. Alexander M'Donald, Rennel M'Donald, for three weeks' allowance to themselves, and two servants, to 24 September, - - - - -	36 0
William Ross's account of subsistence to militia on their march, - - -	9 53
Valentine Vanholt's account of do. - - - - -	9 9
R. Lumsden, for wood, hauling, and sawing, - - - - -	9 22
John Streper's account for subsisting militia on their march, - - -	12 9
Postage of a letter from Ticonderoga, - - - - -	49
M. Lotbinier, French chaplain, one month's pay and rations, - - -	41 30
Allen M'Donald, for the hire of a woman servant, allowed him from the 4th June to 24th September, 16 weeks, - - - - -	16 0
John M'Kenzie, a prisoner from North Carolina, his allowance from 20 September to 17 October, 4 weeks, - - - - -	8 0
Bartholomew Van Heer's account of disbursements to the army in Canada, and for 6 months' pay as lieutenant, - - - - -	145 31

Dls. 90ths.

Uriah Forrest, captain of a company in Colonel Irvine's batallion, furnishing 86 men, non-commissioned officers and privates, with provisions, from Annapolis to Philadelphia, 115 miles, at 1*d.* a mile, each: also to one captain and three subalterns, 115 miles at 9*d.*

In the whole.....	121 35
Total.....	687 27
Received	500
Ballance.....	187 27

That there is due to Robert Jewell, for the maintenance of state prisoners in the new gaol, and for candles, vinegar, &c. 489 43/90 dollars:

To the late Captain William Hendricks his company, and to be paid to Lieutenant Francis Nichols of the said company, for the ballance of an account for their pay, arms lost at the storm of Quebec, hunting shirts, &c. 1,622 22/90 dollars:

To William Pollard, for the expence of himself and others of the light horse, as an escort with money from Philadelphia to New York and Boston, 291 57/90 dollars:

To Jacob Hartman, for the hire of his waggon bringing the baggage of the prisoners from Canada, and from Elizabeth town to Philadelphia, 16 60/90 dollars:

To John Hall and Samuel Parker, for cleaning and repairing 200 muskets with bayonets, scabbards, &c. for the German batallion, 215 78/90 dollars:

To Coxe, Furman & Coxe, for carriage of powder from Philadelphia to Virginia, and the pay of Captain Matthias for taking charge of the same, 233 81/90 dollars:

Ordered, That the said accounts be paid.

Congress took into consideration the form of the oath to be taken by the officers in the service of the continent, which was agreed to as follows:

I ——, do acknowledge the Thirteen United States of America, namely, New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland,

Virginia, North Carolina, South Carolina, and Georgia, to be free, independent, and sovereign states, and declare, that the people thereof owe no allegiance or obedience to George the third, king of Great Britain; and I renounce, refuse and abjure any allegiance or obedience to him; and I do swear, that I will, to the utmost of my power, support, maintain, and defend the said United States against the said king, George the third, and his heirs and successors, and his and their abettors, assistants and adherents; and will serve the said United States in the office of ———, which I now hold, and in any other office which I may hereafter hold by their appointment, or under their authority, with fidelity and honour, and according to the best of my skill and understanding. So help me God.

Resolved, That every officer who holds, or shall hereafter hold, a commission or office from Congress, shall subscribe the above declaration, and take the foregoing oath.

Resolved, That 100,000 dollars be sent to the deputy pay master general in Virginia.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, OCTOBER 22, 1776

A letter from General Mifflin to Captain Falkner was laid before Congress and read:

Resolved, That it be referred to a committee of three, who are directed to engage, and send to head quarters, a skilful, active wharf builder, with proper assistants:

The members chosen, Mr. [Robert] Morris, Mr. [James] Wilson, and Mr. [George] Ross.

The Committee of Treasury reported, that there is due, To Monsieur O. H. Rouville, his servant P. H. de Beaubassin, J. B. H. de Rouville, Joseph de Jarlais, and Joseph and Gabriel Heiter, for their allowance from the 13 July to 18 October, 1776, 186 60/90 dollars:

That they have examined the accounts of David S. Franks for sundry goods supplied the army in Canada, amounting to 3,748 $\frac{84}{90}$ dollars; of which he received a warrant of the 7th of September, for 1,600 dollars, and that there is a ballance now due to him of 2,148 $\frac{84}{90}$ dollars:

That there is due to Nathan Sellers, for a paper mould, letters and borders, 39 dollars:

That there should be advanced to Colonel Hollingsworth, the sum of 1,626 $\frac{60}{90}$ ths dollars, for supplies of rations, and waggons for the Virginia batallions, from the Head of Elk to Chester; he to be accountable:

Ordered, That the said sums be paid.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That General Schuyler's application to the eastern states, and to the state of New York, for their militia, is approved:

That the resolution for sending home the Canadians, be suspended till farther orders:

That the Board of War be directed to order the several prisoners, in Philadelphia, to the places of their destinations, and that they write to the several committees, who have the charge of prisoners, not to suffer them to go beyond the bounds allowed them, nor to permit any of them to come to Philadelphia, without leave first obtained from the Board of War.¹

Resolved, That the Commissioners going to the Court of France be directed to procure from that Court, at the expence of these United States, either by purchase or loan, eight line of battle ships of 74 and 64 guns, well manned, and fitted in every respect for service; That as these ships may be useful in proportion to the quickness

¹ Printed in the *Pennsylvania Evening Post*, 22 October, 1776.

with which they reach North America, the Commissioners be directed to expedite this negotiation with all possible diligence.

Resolved, That Mrs. Antil, with her child, and her sister, Miss Colden, be permitted to go to General Mercer, who is desired to permit them to go to New York, taking especial care, that they carry no intelligence to the enemy.

The Secret Committee reported, that the cargo lately imported into Portsmouth, in the brig *Marquis of Kildare*, Captain Palmer, consists of the following articles, viz. 5,000 lb of powder, 250 small arms, 100,000 flints, 4,000 yards of small canvass, 4 to 500 jackcoats, 100 knapsacks, 100 leggins, 80 large rugs, 2 bales of woollens, 1 bale of linens, and 10 tons of lead; Whereupon,

Resolved, That the powder, 100 small arms, 2,000 flints, part of the canvass, 80 rugs, and part of the lead, be applied by the continental agent for the use of the continental frigate *Raleigh*:

That 60,000 flints be sent to General Washington:

That 38,000 flints, 150 small arms, 100 knapsacks, 100 leggins, and 8 tons of lead, be sent to the northern army, under Generals Schuyler and Gates:

That the remainder of the small canvass be made into tents, and sent to the northern army:

That the jackets, if fit for soldiers, be sent to the northern army; if fit for sailors, to be distributed amongst the continental frigates at Portsmouth and Boston:

That two bales of woollens be made up into soldier's cloaths, for the northern army:

That the bale of linens, if fit for soldiers' shirts, or other purposes, for the army, to be made up, and sent to the northern army; if not suitable for public use, to be sold to the best advantage.

Mr. Jefferson having informed Congress that the state of his family will not permit him to accept the honour of going [as] their Commissioner to France, thereupon,

Resolved, That another be elected in his room.

The ballots being taken,

Arthur Lee Esqr was elected.

Resolved, That the Committee of Secret Correspondence be directed to acquaint him of his appointment, and that his powers and instructions are lodged in Paris. This to be kept secret.

The committee, to whom was referred the petition of Captain ||Charles|| Roberts, brought in their report, which was read, and ~~disagreed to~~ rejected.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, OCTOBER 23, 1776

Congress being informed, that a vessel from London to Quebec, [loaden] with dry goods, among which are many blankets and coarse cloths, fit for soldier's clothing, was lately brought into the state of Rhode Island:

Resolved, That Governor Cooke be requested immediately to purchase, at continental expence, for the use of the army under General Washington's command, all the said blankets and coarse cloths; that the blankets be sent to General Washington, and the cloths made up, agreeable to the directions of Brigadier General Mifflin, quarter master general.

Ordered, That the Committee for Cloathing forward the above resolution to Governor Cooke, and acquaint General Washington and Brigadier General Mifflin therewith.

Resolved, That two brigadier generals be appointed:

The ballots being taken, Colonel William Maxwell, and Colonel William Smallwood, were elected.

Certain resolutions, passed by the convention of Maryland, respecting the raising the eight batallions allotted to their state, were laid before Congress, and read:

Resolved, That they be referred to a committee of three, who are directed to report an answer thereto.

The members chosen, Mr. [James] Wilson, Mr. [Robert Treat] Paine and Mr. [Edward] Rutledge.

Resolved, That it be referred to the Board of War, to consider in what way Mons. De Roche Fermoy may be employed in the service of the Continent:¹

That the application in favour of Lieutenant Von Hederich be referred to the Board of War:²

That Samuel Fairlamb's account be referred to the Committee of Treasury.

The Committee of Treasury reported, that there is due,

To Joseph Borden, Esq. for waggonage, boat hire, &c. transporting carpenters and their baggage from Philadelphia to Pawleshook, after deducting 15/ [= two dollars,] and the sum of £8 15 [=23 30/90 dollars,] for the hire of a 4 horse team of William Allen's, deducted for want of a voucher, and 15/ [= two dollars] paid by Captain Casdorp, 94 dollars.

That they have examined the account of Elihu Spencer, for his salary as a missioner to North Carolina, from 14 December, 1775, to the 4th May, 1776, being 4 months and 21 days, at 40 dollars per month

186.45

¹ A letter from De Roche Fermoy, without date is in the *Papers of the Continental Congress*, No. 78, 1X, folio 45.

² A letter from Cornelius Haight, dated St. Croix, September 3, 1776, is in the *Papers of the Continental Congress*, No. 78, XI, folio 87.

That the said Missioner be allowed an addition of 16 dollars per month to his salary for the above time

	75.18	261.63

That he received a warrant of the 20th December last for

		120.

leaves a ballance in his favour 141.63/90

That there is due to Alexander McWhorter, for his salary as a missioner to North Carolina, from 14 December, 1775, to the 4th May, 1776, being 4 months 21 days, at 40 dollars

	186.45	
--	--------	--

That the said missioner be allowed an addition of 16 dollars per month to his salary for the above time

	75.18	261.63

That he received a warrant of 20th December last for

		120.

which leaves a ballance due to him 141.63/90 dollars

That there is due to Adjutant Christian Febiger and Lieutenant Archibald Steel, and to be paid to the latter

	232.70/90	dollars
--	-----------	---------

being for 2 months extraordinary pay to Adjutant Febiger at £6 17 6 equal to

	36.60	
--	-------	--

2 mo. do to Lieutenant Steel £6 15 0 per do. equal

	36.	
--	-----	--

eight months 22 days to do. as adjutant from 9 November, to 1 August, 1776, at £6 17 6 equal to

	160.10	

the whole amounting to 232.70/90

That there is due to John Dunlap, for 97 reams of cartridge paper, sent to Ticonderoga, 323 30/90 dollars:

To Alexander Rutherford, for 100 bayonet scabbards supplied Captain Ralph Falkner, of the 5 Virginia regiment, 40 dollars:

To Captain Hendrick Smock, for expences of a guard and prisoners, from head quarters, New Jersey, to Philadelphia, 44 18/90 dollars:

To René O. H. de Rouville, a Canadian prisoner, for his allowance from the 16 January to 13th July last, is 25 5/7 weeks, at 2 dollars per week, 51 38/90 dollars:

25 5/7 weeks, his servant's allowance, 34 25/90 dollars:

Amounting to 85 63/90 dollars:

Ordered, That the said accounts be paid.

Upon application of the delegates from Delaware,

Resolved, That 120 dollars be advanced to Captain John Woodgate, of Colonel Patterson's batallion, he to account for the same with the pay master of the said batallion.

Congress took into consideration the report of the committee on the petition of Colonel Moses Hazen; Whereupon,

Resolved, That the sum of 966 2/3 dollars be paid to Colonel Moses Hazen, for his farming, smith's and potash, carpenters, and joiners, coopers, and stave maker's tools, and for anchors and cables, said to be taken by, and appropriated to, the use of the army under General Montgomery:

That the regiment under the command of the said Colonel Hazen, remain on the original establishment thereof, and be recruited to its full complement in any of the thirteen United States, as it was upon these terms he entered into the service, and the said regiment cannot be said to belong to any particular state, nor to be any additional expence in the mode of officering the same.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, OCTOBER 24, 1776

A petition from William Moore and one from William Rigg, were presented to Congress, and read.

Resolved, That they be referred to the Marine Committee; who are directed to furnish them with subsistence during their residence in Philadelphia.

Application being made in favour of Samuel Horlock and — Livingston, Esq^s for leave to go to Boston, and from thence to New York:

Resolved, That leave be granted them on giving their parole.

Resolved, That an order for £50, equal to 133 1/3 dollars, be drawn on the treasurer in favor of R. Peters, secretary ||to the Board of War,|| to pay for a light waggon purchased for the use of the Congress, and that he be empowered to purchase another light waggon.

Resolved, That 500 dollars be advanced to the committee appointed to contract with, and send an active wharf builder, and proper assistants to General Washington, for the use of the said wharf builders.

Resolved, That the Board of War be directed to order the Virginia batallions to march to Trenton, and there halt until farther orders.

A representation from the council of safety of Pennsylvania to the Board of War, was laid before Congress, and read:

Ordered, To lie on the table.

A memorial from David Franks was laid before Congress and read, praying for liberty for himself, and

Patrick Rice, his clerk, to go to New York, to lay his receipts and vouchers for the provisions furnished to the ||British|| prisoners, in this department, before the commissary general, for his inspection, to be passed by him in order to procure certificates to be presented, and signed by, the general ||of the British forces,|| otherwise he cannot be reimbursed.

Resolved, That leave be granted, upon giving their parole, not to give any intelligence to the enemy, and that they will return to this city.

A petition of Benjamin Eyre, was presented to Congress, and read.¹

Resolved, That it be referred to a committee of three.

The members chosen, Mr. [Francis] Lewis, Mr. [Robert Treat] Paine, and Mr. F[ran]cis L[igh]tfoot Lee.

A petition from Captain [P.] Anstruther, of the 26, was presented to Congress, and read; also a petition from Simon Carbolois was read.

Resolved, That they be dismissed.

Resolved, That 5,000 dollars be advanced to E. Blaine, Esq^r for the use of the batallion raised on the western frontiers of Pennsylvania; he to be accountable.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, OCTOBER 25, 1776

A letter, from the General's secretary, R. H. Harrison, of the 21, was laid before Congress, and read;²

¹This petition is not in the *Papers of the Continental Congress*, but a memorial, based upon it, was laid before Congress, November 18, 1776, and is in No. 41, III, folio 1.

²This letter is in the *Papers of the Continental Congress*, No. 152, III, folio 173.

A certificate from Brigadier Generals H. Mercer and P. Dickinson, in favour of the Rev. John Nevelling, who has officiated as chaplain to nine Jersey batallions:

Resolved, That it be referred to the committee of treasury, who are directed to enquire how long Mr. Nevelling officiated, as is mentioned in the said certificate, and pay him for his services, at the rate of 50 dollars a month.

A petition from Alice Brazier and daughter, Hannah Haynes and Elizabeth Bouvé, was presented to Congress, and read:

Resolved, That it be referred to the Committee of Treasury.

Resolved, That 3,000 dollars be advanced to Colonel Hazen towards inlisting his batallion, he to be accountable.

A letter, from Peter Zabriskie and John Morgan, of the 20th, [was read.]

Resolved, That it be referred to the Board of Treasury.

A memorial from M. Irwin was presented to Congress, [and read.]

Resolved, That it be referred to a committee of three, who are directed to confer with the council of safety [of Pennsylvania,] respecting the same, and report to Congress:

The members chosen, Mr. S[amuel] Adams, Mr. [William] Whipple, and Mr. [John] Hart.

The Committee of Treasury reported, that there is due,

To Robert Chase, late commander of the *Gaspé* ship of war, for his allowance from 1 March to 24 October, 1776, inclusive, 34 weeks, at 2 dollars per week, 68 dollars.

That they have examined an account exhibited by Captain Robert Cluggage, for sundry articles charged to him, and which he prays an allowance of, and that he

ought to be credited for the following sums, charged in the Bedford county accounts, viz.

For Drilling for haversacks, account No. 1,	-	-	-	-	£6	5	10
Part of articles charged in account No. 31,	-	-	-	-	1	13	6
Cash paid Bernard Dougherty	-	-	-	-	0	15	0
An overcharge in a rifle bought of William Peeble,	-	-	-	-	0	10	0
A charge of Abraham Cable, Esq. in additional account No. 2,	-	-	-	-	3	7	4
Repairing arms, charged in Colonel Irwin's account, per vouchers							
No. 7 and 8,	-	-	-	-	9	2	5
Occasional expences which he paid for his company, on their march							
from Bedford to Boston	-	-	-	-	9	7	9
Equal to 82 82/90 dollars,	-	-	-	-	£31	1	10

That there is due to John Mitchell, for expences of a party of light horse, going with money from Philadelphia to Ticonderoga, a ballance of £32 16 6, and for coach hire, expences, &c. for himself and Mr. Dunlap, as a guard with Generals Prescott and M'Donald, and their two servants, to New York, to be exchanged, £76 18 6, both sums amounting to £109 15 0 equal to 292 60/90 dollars:

That there should be advanced to Mr. Hodgkin and Mr. Cronstedt, two midshipmen, taken prisoners, three weeks' allowance each, at 2 dollars, is 12 dollars:

To Roger Sherman, Esq^r for the expences of the committee for enquiring into the state of the army at New York, and two servants, being ten days absent, 76 71/90 dollars, to be paid to Elbridge Gerry, Esq^r:

Ordered, That the said accounts be paid.

Resolved, That two months' pay be advanced to Lieutenant David Zeigler, who was wounded, and come to Philadelphia for the purpose of perfecting his cure.

Resolved, That it be recommended to the several assemblies and conventions of the United States, forthwith to import, or otherwise procure, full supplies of fire arms, bayonets, brass, or other field pieces, powder, lead, flints,

medicines, entrenching tools, tent cloth, blankets, and other clothing, for such of their militia as are deficient therein, and to send to the Board of War and Ordnance a copy of their resolutions for this purpose, that the same may be laid before Congress.

The several matters to this day referred,¹ being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, OCTOBER 28, 1776

Resolved, That 1,000 dollars be advanced to the committee appointed to engage carpenters || wharf builders, || to go to head quarters near New York, for the use of the said carpenters, they to be accountable.

A letter of the 17, from General Schuyler, was read, together with the report of a court of enquiry appointed to discover what stores were on board the enemy's fleet taken in the river St. Lawrence :

Resolved, This be referred to the Board of Treasury.

A letter of the 6th, from General Andrew Lewis, was read, and referred to the Board of War.²

A letter of the 16, from the convention of New York, was also read.

A petition from William Savage, Thomas Corbett, and John Scott, in behalf of William Wilson, together with sundry papers therein referred to, were read and referred to the Marine Committee.

¹ "As the State of New York has not been represented in Congress for several weeks past, Mr. P. Livingston with myself being their only Delegates at present here, we are requested by Congress to apply to you, sirs, for a full representation; therefore hope you will speedily send us one other member that we may be enabled to give our vote for that State which we have been sent here to represent." *Lewis and Livingston to New York Convention*, 26 October, 1776.

² This letter is in the *Papers of the Continental Congress*, No. 159, folio 256.

A letter of August, 1776, from Thomas Cushing, was read, and referred to the Committee for Indian Affairs.¹

Resolved, That M. Du Bois, have leave, upon resigning his commission, to return to Martinico.

Congress, being informed that certain persons were busy in monopolizing and engrossing the articles necessary for the use of the army, with a view to enhance their price, and prevent the army from being supplied,

Resolved, That a committee of three be appointed to enquire into this matter, and report thereon to Congress:

The members chosen, Mr. [George] Wythe, Mr. [Elbridge] Gerry, and Mr. [Edward] Rutledge.

The committee, to whom the memorial of Matthew Irwin was referred, reported, that they have conferred with the council of safety of Pennsylvania, who say they have some salt, the quantity they cannot ascertain, which they are willing to sell for the use of the army: ~~but are desirous application be first made to Mr. J. Donaldson, for the salt he is now selling out of a vessel lately arrived.~~

Resolved, That the said committee request the council of safety of Pennsylvania to sell to Mr. M. Irwin, for the use of the army, as much salt as they can possibly spare.

The Marine Committee brought in a report, which was read; Whereupon,

Resolved, That the Marine Committee be empowered to employ such persons as they shall think proper, to execute the business entrusted to them, and report their names to Congress:

That the remainder of the report be postponed till to Morrow.

The Committee of Treasury reported, that there is due, To Thomas Dunahoo, a Canadian prisoner, for his allow-

¹The letter from the New York Convention is in the *Papers of the Continental Congress*, No. 67, 1, folio 340.

ance from 13 July to 25 October, 1776, 15 weeks, at $1\frac{1}{3}$ dollars per week, 20 dollars:

To Captain William Brady, of the late Colonel Stevenson's batallion, for twelve riffles, purchased by him for the use of his company, 177 dollars:

Ordered, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, OCTOBER 29, 1776

Congress having received information that Timothy Dod, who was sent express from Boston to this House, has had his despatches ||from General Washington,|| stolen from him at Bristol, in this state,

Resolved, That a committee of two be appointed, with powers to make every necessary enquiry, and to take every step they think proper, for the recovery of the said despatches, and the discovery of the person or persons by whom the said papers were stolen; that if they shall have good reasons to suspect any person or persons, they immediately secure them till the further order of Congress, and return their names, with the causes of suspicion, to this house; that they dispose of the continental prisoners now there in such manner as they shall think best:

That all civil officers be requested, and all continental military officers be ordered, to afford every assistance that may be required by the said committee.

The members chosen, Mr. [James] Wilson, and Mr. [Francis] Hopkinson.

Resolved, That Colonel Cadwallader and Colonel Bayard be requested to accompany the said committee ||to Bristol.||

That 40,000 dollars be advanced to James Mease for the public service; he to be accountable.

6,000 dollars be advanced to Colonel Buckner, of the 6 Virginia batallion, for the use of the said batallion; he to be accountable.

Resolved, That Charles Hughes have leave to go to the West Indies in the schooner *Thistle*.

A letter from Mr. [Richard] Bache was read:

Resolved, That it be referred to a committee of three.

The members chosen, Mr. [George] Wythe, Mr. [Robert Treat] Paine, and Mr. [Philip] Livingston.

Whereas the fortifying the entrance of the river of Cape Fear, in the state of North Carolina, will tend greatly to the advantage and security of that state, by furnishing a safe harbour for foreigners, and excluding the enemy's ships:

Resolved, therefore, That it be recommended to the convention of the state of North Carolina, that they do immediately fortify and secure, at the expence of their state, the entrance of the said river, by erecting batteries and other works of defence, by placing obstructions in proper parts of the said river, and pursuing such other measures, as, in their opinion, will best conduce to prevent the introduction of the enemy's ships, and protect the trade of the said state; and, in case heavy cannon cannot be procured in the state of North Carolina, it is further recommended to the said convention, that they apply to the state of South Carolina, requesting the loan of such cannon as they can spare from their own necessities, who, it is not doubted, will contribute, as far as it may be in their power, to accomplish a purpose which will be of general utility to the southern states.

Congress resumed the consideration of the report of the Marine Committee: Whereupon,

Resolved, ~~That all private ships of war, merchant ships, and other vessels, belonging to the subjects of these states, do pay respect to the continental ships of war, of any kind and denomination, by hauling down their pendants when in company with any of them, and also by lowering the sails usually lowered by British traders to British ships of war when they meet.~~

That no private ships or vessels of war, merchant ships, and other vessels belonging to the subjects of these states, be permitted to wear pendants when in company with continental ships or vessels of war, without leave from the commanding officer thereof.

That, if any merchant ship or vessel shall wear pendants in company with continental ships or vessels of war, without leave first obtained from the commander thereof, such commander be authorized to take away the pendants from the offenders.

That, if private ships or vessels of war refuse to pay the respect due to the continental ships or vessels of war, the captain or commander, so refusing, shall lose his commission.¹

Resolved, That the further consideration of the report be postponed till to Morrow.

The several matters to this day referred, being farther postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, OCTOBER 30, 1776

The Committee of Treasury reported, that there is due, To Mr. Allen, for his expences in being detained here for the purpose of taking charge of the money for Virginia, the sum of 17 20/90 dollars:

¹ Printed in the *Pennsylvania Evening Post*, 6 November, 1776.

That a farther sum of 77 46/90 dollars be paid to Mr. Fairlamb, which will be the ballance due to him on his account as it now stands, exclusive of his request for a farther allowance on the ration stipulated in his contract, and of twenty seven cords of wood, not allowed for want of vouchers:

Ordered, That the above accounts be paid.

Resolved, That the sum of 30 dollars be paid to Captain Moore, to enable him to proceed to Europe.

A letter of this day from Colonel Moses Hazen was read;

A petition from Andrew Stalker, late commander of the brigantine *Three Friends*, was read, praying for leave to depart the states of America, and revisit his native country.

Resolved, That leave be granted.

A petition from John Tillman was read.

A letter from Governor Livingston, of the 25, was read, and referred to the committee to whom a former letter from Governor Livingston was referred, namely, Dr. [Benjamin] Rush, Mr. [George] Ross, and Mr. [Thomas] Lynch [Jr.]¹

Resolved, That 2,000 dollars be advanced to Colonel Scott, of the 5 Virginia batallion, for the use of his batallion, he to be accountable.

Resolved, That 2,000 dollars be advanced to Colonel Hansegger, of the German batallion, for the use of his batallion, he to be accountable.

The Board of War having recommended Jacob Mylé to be quarter master, and Eberhart Michael, pay master to the German batallion;

Resolved, That they be accepted, and commissions granted to them accordingly.

¹ This letter is in the *Papers of the Continental Congress*, No. 68, folio 227.

Mr. Duché having, by a letter to the president, acknowledged his obligations for the kind manner in which Congress have expressed their approbation of his services, requests, as he accepted their appointment from motives perfectly disinterested, that ~~Mr. Hancock will please to put~~ the 150 dollars voted to him, may be applied to the relief of the widows and children of such of the Pennsylvania officers, as have fallen in battle in the service of their country:¹

Resolved, That the money be deposited with the council of safety of Pennsylvania, to be applied agreeable to the request and desire of Mr. Duché.

A memorial of Robert Jewell was read and referred to the committee on Governor Livingston's letter.

Resolved, That 133½ dollars be advanced to Evans and Stretch, the commanding officers of the guard going with money and cloathing to the northern army, they to be accountable.

The Committee of Treasury reported, that there is due,

To Mons. Pierre Gamelin, a prisoner from Canada, for his allowance from 26 March to 28 October, inclusive, being 31 weeks, at 2 dollars a week, 62 dollars:

To Marcus Lucullus Ryall, a prisoner, for his allowance from 22d August to 24 October, inclusive, being 9 weeks, at 2 dollars, 18 dollars:

To Lieutenant Jacob Schalh, a prisoner, for his allowance from 19 July to 25 October, inclusive, being 14 weeks, at 2 dollars, 28 dollars:

To Dr. James Gill, a prisoner, for his allowance from 19 July to 25 October, inclusive, being 14 weeks, at 2 dollars, 28 dollars:

To Lieutenant Simon Evans, a prisoner, for his allowance from 23 August to 18 October, inclusive, being 8 weeks, at 2 dollars, 16 dollars:

¹ Mr. Duché's letter is in the *Papers of the Continental Congress*, No. 78, V11, folio 75.

To Pelatiah Webster for 200 lbs. of rhubarb, 600 dollars:

To Alexander Middleton, of the 5th Virginia batallion, for his account of medicines, board, nursing, and necessaries for the sick of the said regiment, 86 60/90 dollars:

Ordered, That the said accounts be paid.

The committee, to whom were referred the resolutions of the convention of Maryland, brought in a report, which was taken into consideration: Whereupon,

Resolved, That the president write to the convention of Maryland, and inform them, that their resolutions relative to their paying ten dollars in lieu of the 100 acres of land, determined by Congress to be given to such non-commissioned officers and soldiers as shall enlist to serve during the war, will, (in the opinion of this house,) if carried into execution, prove extremely detrimental to these states, as it will, in all probability, induce such soldiers as are to compose the remainder of the levies, to require an equal sum from the United States, and by refusing to enlist until their demands shall be complied with, compel the Congress to the immediate payment of an additional bounty, far beyond what is reasonable:

That this house, being satisfied with the propriety of offering land to the soldiery, as an inducement to enlist in the service, cannot rescind the said resolution, and are of opinion, that the faith, which this house, (by virtue of the power with which they were vested,) has plighted, must be obligatory upon their constituents; that no one state can, by its own act, be released therefrom, and that the interest of the United States would be deeply and injuriously affected, should the Congress, at this time, consent to a compromise between any state and the forces to be by them raised:

That the said convention, by their said resolutions, seem to apprehend, that their state would be obliged, in their individual capacity, to make good the bounty of land hereafter to be given to the soldiery; whereas, it was the intention of Congress to provide the said land at the expence of the United States:

That the said convention be requested to reconsider the said resolutions, and to give to their commissioners, appointed to repair to the camp, such instructions as will enable them to carry into execution the views of Congress: That the said convention be informed, that the pay master general has been furnished with a sum of money for the purpose of paying the bounty of 20 dollars ordered by Congress to such soldiers as shall enlist to serve the United States during the war.

Congress resumed the consideration of the report of the Marine Committee: Whereupon,

Resolved, That the rank of officers of marines be the same as officers of similar commissions in the land service:

That the commanders, officers, seamen, and marines in the continental navy, be entitled to one half of merchantmen, transports, and store ships by them taken, from and after the first day of November, 1776, to be divided amongst them in the shares and proportions fixed by former resolutions of Congress:

That the commanders, officers, seamen and marines, in the continental navy, be entitled to the whole value of all ships and vessels of war belonging to the crown of Great Britain, by them made prize of, and all privateers authorized by his Britannic Majesty to war against these states, to be divided as aforesaid.¹

¹ Printed in the *Pennsylvania Gazette*, 6 November, 1776.

Resolved, That the part of the report relative to the rank and pay of naval officers, be referred to a special committee of three.

The members, Mr. [Robert] Morris, Mr. [William] Whipple, and Mr. R[ichard] H[enry] Lee.

Resolved, That the remainder of the report be re-committed.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, OCTOBER 31, 1776

A letter, of the 28 October, from Brigadier General Greene, was read,¹ and referred to the committee of intelligence.

Resolved, That 2,000 dollars be advanced to Colonel Zebulon Butler, for the use of the two companies raised in the town of Westmoreland, he to be accountable:

That leave be granted to Zebulon Butler, Esq^r, or his agent, to purchase 50 bushels of salt belonging to the Continent, for the use of the continental troops raised in Westmoreland.

A letter, of the 29, from Robert H[anson] Harrison, the General's secretary, was read.²

The committee appointed to make strict enquiry respecting some late despatches from head quarters, said to have been lost on Monday last at Bristol, reported,

That they have pursued every probable method, that might lead to a discovery of the said despatches, without effect; that they have strictly and carefully examined every person, who could be supposed to have any knowledge

¹ This letter is in the *Papers of the Continental Congress*, No. 155, I, folio 15.

² *Ibid.*, No. 152, III, folio 185.

of the circumstances related by the express, charged with the said despatches, respecting his loss, but can discover no traces of the robbery or stealth; that the said express does not give so clear and satisfactory an account of this matter as fully to exculpate himself in the opinion of your committee, and therefore have brought him back in order to submit him to the farther examination of Congress; Whereupon,

Resolved, That Timothy Dod, who had charge of the despatches from General Washington, and alledges he lost them at Bristol, be committed to the custody of Mr. [R.] Jewell, keeper of the public prison, to be safely kept till farther orders of Congress:

That Mr. Jewell be directed to keep Timothy Dod in his own apartments and family, and not to permit any of the prisoners, nor any person, except those of his own family, to converse with him, till farther orders.

Resolved, That a committee of five be appointed to prepare an effectual plan for suppressing the internal enemies of America, and preventing a communication of intelligence to our other enemies.

The members chosen, Mr. S[amuel] Adams, Mr. [George] Wythe, Mr. R[ichard] H[enry] Lee, Mr. [James] Wilson, and Mr. [George] Ross.

Resolved, That the Board of War be directed to have the prisoners removed from Bristol, and the public post roads, to some convenient places back in the country:

That the said Board be directed to have a sufficient guard kept at the public prison, and over the continental stores in and near Philadelphia.

Whereas, it has been represented to Congress, that sundry inhabitants of these United States, to keep supplies from the army, or promote their own interest, have

purchased considerable quantities of cloathing, and refuse to dispose of the same, unless upon extravagant or unreasonable terms;

Resolved, That it be recommended to the assemblies, conventions, councils or committees of safety of the several states, forthwith to take suitable measures for obtaining, for the use of the army, such necessary articles, as being thus engrossed in their respective states, cannot be otherwise immediately procured, allowing to the owners reasonable prices for the same; and that laws be provided in each of the states, for effectually preventing monopolies of necessaries for the army, or inhabitants of the same.¹

Ordered, That the committee ~~on the post office~~ to whom Mr. Bache's letter was referred, report, as soon as possible, ways and means of establishing expresses, and conveying intelligence to and from the army, with safety and despatch.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, NOVEMBER 1, 1776

Resolved, That 3,000 dollars be paid to Adam Bonfield, or order, and charged to the account of J. Trumbull, deputy pay master general in the northern department, it being in full of a draught in his favour by said Jonathan Trumbull, dated at Albany, 15 October, 1776.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That commissions be granted to fill up the vacancies in the 4th, 5th and 6th Virginia battallions,

¹ Printed in the *Pennsylvania Gazette*, 6 November 1776.

agreeable to the list given in to the Board of War by General Stephen.

Resolved, That 3,000 dollars be advanced to the delegates of Georgia, for the use of that state; the said delegates to be accountable.

A petition from sundry ship joiners, was presented to Congress, and read, and referred to the Marine Committee.

Resolved, That the Board of War be directed to order four companies of the Virginia batallion on the eastern shore, to march, under the command of a field officer, to Dover, in Delaware government, there to remain till farther orders.

Congress took into consideration the report of the committee on the ways and means of supplying the treasury; Whereupon,

~~*Resolved*, That the sum of one million five hundred and sixty eight thousand dollars be raised by a lottery, to be drawn in the city of Philadelphia, upon the plan offered by the Committee.¹~~

Resolved, That a sum of money be raised by way of a lottery, for defraying the expences of the next campaign, the lottery to be drawn in the city of Philadelphia:

That the committee who brought in the ~~plan~~ report, be directed to ~~complete the same by~~ prepare the plan of a lottery, to fix the number of managers, ~~the time when the lottery is to be drawn,~~ and the security by them to be given, and report to Congress.

Resolved, That the remainder of the report be postponed till to Morrow.

Resolved, That the Board of Treasury be directed to lay before Congress, once every week, an account of what part of the last emission of money remains unexpended.

¹ In margin is written: "Reconsidered 16 Novr., when another plan was proposed."

Resolved, That the Board of War be directed to supply the delegates of Georgia, for the use of that state, with a quantity of military stores, first informing Congress of the quantity applied for.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, NOVEMBER 2, 1776

Congress resumed the consideration of the report of the committee on the ways and means of supplying the treasury; Whereupon,

Resolved, That the Treasury Board be directed to prepare all the necessary materials, and to have ready ~~all the executed~~ for a new emission five millions of dollars, to be issued when Congress shall direct:

That five hundred thousand dollars be speedily issued in small notes of two thirds, one third, one sixth, and one ninth of a dollar.¹

A petition from John Bates was read, and referred to the committee who contracted with him.

Resolved, That a farther sum of 3,000 dollars be advanced to Colonel Moses Hazen, for the purpose of recruiting his regiment; he to be accountable.

The Committee of Treasury reported, that there is due,

To Isaac Dennis, and to be paid to Francis Lewis, Esq^r for dieting 80 men, and oats, &c. for horses of Captain Thomas Price's company, in New York government, 13 67½/90 dollars:

To Bartholomew Von Heer, for his pay as brigade major, from 20th June to 20th October, being four months, at 33 dollars, 132 dollars.

Ordered, That the said accounts be paid.

¹ This resolution was not carried into effect, or any part of the bills printed.

The committee to whom Governor Livingston's letter was referred, brought in a report, which was read:

The committee, to whom Governor Livingston's letter concerning some prisoners sailors in New Jersey was referred, beg leave to report, that they have taken into their consideration the unparalleled inhumanity and alarming tendency of a late act of parliament for obliging sailors taken on board American vessels to fight against their brethren and country; therefore,

Resolved, That the Sailors lately taken on board the Sloops *Phœnix*, the *Sally*, and the *Mary*, except such of them as belong to the United States, be immediately put on board some of the armed vessels of the United States, and compelled to fight against ~~their form brethren and~~ the Enemies of this country, ~~in order that~~ and by thus executing the great and necessary law of retaliation, our Enemies may be induced to put a stop to a practice so dishonourable to human nature, and first taught the world by the british nation.

Resolved, that this resolution be extended to all Sailors hereafter taken on board british vessels.

That Robert Colefax, Richard Williams and Peleg Mansfield, natives of America be permitted to return to their families in New England.

~~That Mr. Robert Jewell be paid the sum of eighty dollars a month for his care of the state prison in the city of Philad^a from which Money he is to pay~~¹

Ordered, To lie on the table.

Resolved, That the consideration of employing M. Roche de Fermoy be postponed to Monday next.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

¹ October 3, 1776, Governor Livingston represented the distressing situation of the prisoners in Somerset gaol, at Milton. Congress (October 16) desired the names and characters of the prisoners. These were given by Livingston on October 25, and, with a memorial of Robert Jewell, were referred to a committee.

This report, in the writing of Benjamin Rush, is in the *Papers of the Continental Congress*, No. 19, III, 581.

MONDAY, NOVEMBER 4, 1776

The Honorable Matthew Thornton, esq. a delegate from New Hampshire, attended, and produced his credentials, which were read as follows:

STATE OF NEW HAMPSHIRE,

In the House of Representatives, Septem^r. 12th, 1776.

Voted, That the Hon^{ble} Matthew Thornton, Esq^r be, and hereby is, appointed a Delegate to represent this State at the Continental Congress, for one Year next ensuing.

Sent up for concurrence.

P. WHITE, *Speaker*.IN COUNCIL, *Eodem Die*, Read and concurred:E. THOMPSON, *Secretary*.

A Copy, Examined by

E. THOMPSON, *Secretary*.

Two letters, of the 25 October and 1 November, from R. H. Harrison, General Washington's secretary; one from R. Stockton and G. Clymer, of the 26th October; one from General Schuyler, dated Saratoga, 23 October, were laid before Congress, and read, and referred to the Board of War.

A letter, of the 19 October, from G. Mason, chairman of ||the committee of|| Fairfax county, in Virginia, enclosing a resolution of the council of Virginia, was read and referred to the Board of War.¹

Whereas it is manifest, that unless effectual measures are immediately taken for re-inlisting the army, the safety of the states may be greatly endangered;

Resolved, That the president be desired to write to the commander in chief and inform him that if, upon receipt of this resolution, commissioners from the respective

¹ These letters are in the *Papers of the Continental Congress*, No. 152, III, folios 181 and 193. Schuyler's letter is in No. 153, II, folio 463. That of Stockton and Clymer, written from Saratoga, is in No. 78, XX, folio 69. That of Mason is in No. 71, I, folio 67.

states, for the purpose of appointing officers, shall not have arrived, he is then, after consulting and advising with such of his generals as he can conveniently call together, immediately to grant warrants to such of the officers from the respective states, who have not commissioners present authorized as aforesaid, as he shall think deserving of commissions:

That the officers so to be appointed proceed with the utmost expedition, to recruit their regiments to their full complement:

That commissions be sent to General Washington as soon as possible, to be given to such officers as he shall appoint by warrant, in consequence of the foregoing resolution:

That the commander in chief be desired to take such steps as he shall think most proper for continuing the militia now in camp.

That, for this purpose, he write to such of the states as now have militia in the government of New York, requesting their assistance in this business; and that he farther be desired to apply to the neighbouring states for such additional aid as he may require;

That a letter to the same import be written to General Schuyler.

The committee, to whom the letter from Thomas Cushing was referred, brought in a report, which was read.

It being represented that some of the marines in the barracks are sick,

Resolved, That Doct^r Rush be desired to take them under his care, and see them properly provided for.

Resolved, That Mr. [William] Hooper be added to the committee to whom Mr. Bache's letter was referred, and that the said committee be directed to meet on the business this evening at this place.

Resolved, That the waggon master general be directed to take charge of the horses belonging to the Continent, and prepare them for service, as soon as possible.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.¹

TUESDAY, NOVEMBER 5, 1776

Benjamin Harrison, Esq^r: a delegate from Virginia, attended and produced the credentials of his appointment, which were read as follows:

IN THE HOUSE OF DELEGATES, *Thursday, Oct. 10, 1776.*
VIRGINIA. Sct.

The House, according to the Order of the Day, proceeded, by Ballot, to the Appointment of a Delegate to represent this State in General Congress, in the Room of Thomas Jefferson, Esq^r: and the Members having prepared Tickets for the person to be appointed, and put the same into the Ballot Box, Mr. Treasurer, Mr. Braxton, Mr. Clayton, Mr. Starke and Mr. Richard Cary, were appointed a Committee to meet a Committee to be appointed by the Senate, and jointly with

¹A letter, dated Pittsburgh, September 25, 1776, from the Commissioners for Indian Affairs in the Middle Department [Thomas Walker, John Harvie, John Montgomery and J. Yeates], is in the *Papers of the Continental Congress*, No. 78, XXIII, folio 305. With it is a report made upon it by the standing Committee on Indian Affairs. This report is in the writing of George Wythe, but contains no note of its submission to Congress or of any action taken. The letter from the Commissioners has a note: "Report made 4 [?] Nov:" Although I am uncertain of the date, the report is here given:

"The committee for indian affairs have considered a letter, addressed to them from the commissioners for indian affairs in the middle department, dated at Pittsburg, the twenty first day of September last, and have come to the following resolution thereupon, viz.

"*Resolved*, that it is the opinion of this committee, that the commissioners for indian affairs in the middle department, from the intelligence communicated to them of the motions and preparations of some tribes of indians, and from the dispositions of others well known to be hostile, had cause to apprehend that an attack upon Pittsburg, or incursions into some parts of Virginia or Pennsylvania, would be made by those savages; and therefore acted prudently in calling in forces for protection and defense."

them to examine the Ballot Boxes, and report to the House, upon whom the Majority fell.

Ordered, That Mr. Treasurer do acquaint the Senate therewith.

The Committee then withdrew, and after sometime returned into the House, and reported, that they had met a Committee from the Senate in the Conference Room, and had, jointly with them, examined the Ballot Boxes, and that the Numbers appeared as follows: For Benjamin Harrison, Esq^r 69—Meriwether Smith, Esq^r 5.

Resolved, therefore, That the said Benjamin Harrison be appointed a Delegate to represent this State in General Congress.

Resolved, unanimously, That the Thanks of this House are justly due to the said Benjamin Harrison, for the Diligence, Ability and Integrity, with which he executed the important Trust reposed in him as one of the Delegates from this Country to the General Congress.

A Copy: JOHN TAZEWELL, *Clerk of the House of Delegates*.¹

Resolved, That Mr. [Benjamin] Harrison be added to the Board of War, and that he be continued in all those standing committees, of which he was a member, when he left Congress.

A letter from R. H. Harrison, of the 31 October, was read.

The Board of Treasury brought in a report, which was taken into consideration; Whereupon,

Resolved, That all accounts for services done, or articles supplied the northern army, be presented to the commissioners ||for settling accounts,|| and so much thereof as is approved by them, and confirmed by the general, be paid by his warrants on the pay master, after the commissioners have certified thereon, that the accounts and vouchers are returned to them by the persons receiving such warrants:

That all warrants of the general on the pay master for services to be performed, or articles to be supplied, be sent by the pay master to the office, and entered in the

¹The original is in the *Papers of the Continental Congress, Virginia, Credentials of Delegates*.

books of the commissioners; after which, the said commissioners shall, as soon as they shall judge expedient, call to account the persons receiving such advances; and having settled the said accounts, they shall be filed in their office:

That where any balance appears to be due to the United States, from persons whose accounts are adjusted as aforesaid, they shall be received by the commissioners, and delivered to the pay master, whose receipts therefor shall be transmitted to the Treasury:

That the commissioners be empowered to administer oaths or affirmations to persons examined by them in the execution of their office.

That the general's and pay master's accounts be sent to the treasury office by the commissioners, together with the pay rolls and accounts discharged by the same, upon their adjusting the accounts of the northern army to the end of the present campaign.

Resolved, That the commissioners appointed to settle the accounts of the army near New York, be directed to govern their conduct agreeable to the foregoing resolutions.

Resolved, That the following instructions be given to the commissioners of the northern army:

1. That, in adjusting the accounts of persons, whose particular circumstances may have rendered them unable to procure vouchers, or that, on the retreat of the army, have lost the same, the commissioners endeavour to obtain the best information from the general officers, or other persons in that department, and use a discretionary power in administering oaths or affirmations for this purpose.

2. That there not having been a muster master in the northern army during the last and present campaign, the commissioners are particularly to attend to the pay rolls

that shall be produced as vouchers by the pay master, and should any frauds appear, to report them to the general, that the same may be thoroughly investigated.

3. That in other instances, the commissioners are not to interfere in the muster or pay rolls, unless, in particular cases, it shall be judged expedient by the general and themselves.

4. That the commissioners are not to concern themselves in disputes about back rations or allowances for vegetables said to be due to some officers and soldiers, but are to leave them with the commissary, whose business it is to regulate such disputes.

5. That where any person has done the duty of a deputy or assistant commissary, by desire of a general officer, or the commissary or deputy commissary generals, he be allowed for his services, although he has not received a commission for that purpose.

6. That demands for defending the frontiers of any of the states, if on account of troops not raised by order of Congress, are not to be considered by the commissioners.

7. That the commissioners certify to the general the accounts to be paid in specie, that if the military chest is supplied, the general may issue his warrant accordingly.

8. That the commissioners send to the state of New Jersey, and to the states eastward thereof, for their accounts against the northern army, if such accounts are not forwarded agreeable to a circular letter from the Treasury to the said states.

~~Resolved, That similar instructions be given to the Commissioners appointed to audit and settle the accounts of the army near New York.~~

Resolved, That the president write to Governor Livingston, and request him to send two companies of militia to guard the salt works near Tom's river, and one com-

pany to be stationed at or near Shrewsbury, to intercept and put a stop to the intelligence said to be carrying on between the tories and Lord Howe's fleet; that the companies consist of fifty men each.

A petition from Joseph Traverses was presented to Congress, and read; Whereupon,

Resolved, That an order for one hundred dollars be drawn on the Treasurer in favor of the said Joseph Traverses; to be accounted for by him on the settlement and payment of his accounts.

The committee to whom the letter from Richard Bache, Esq^r comptroller of the post office, was referred, brought in a report, which was taken into consideration; Whereupon,

Resolved, That for obtaining early and frequent intelligence from the camps at White Plains and Ticonderoga, or such other places as the armies now, or lately there, may march, or have marched to, and forwarding despatches to the commanding officers with the like expedition, the post master general do immediately employ so many more riders, between Philadelphia and head quarters of these armies, as he shall judge will most effectually perform that very important, and, at this time more especially, necessary service; and that he endeavour, to the utmost of his power, to procure sober, diligent, and trusty persons to undertake it; and guard, in the best manner he is able, against robberies of the mails, or losses of their contents otherwise:

That all ferry keepers be enjoined, as much as they are able, to expedite the passage of post riders and other persons charged with letters, despatches, or messages, from and to Congress; and that it be recommended to the several legislatures of the United States, to enforce the observance of this resolution:

That expresses and special messengers, employed in the public service, taking and carrying private letters or packets, ought not to receive the wages they would otherwise be entitled to:¹

That the deputy post master at head quarters be allowed four rations, every day, out of the public stores there, for the subsistence of himself, and his riders, and servant.

Congress took into consideration the case of the Chevalier Roche de Fermoy: Whereupon,

Resolved, That the Chevalier Mathieu Alexis Roche de Fermoy, be appointed a brigadier general in the army of the United States.

The committee to whom were referred the petition and accounts of Benjamin Eyre, brought in a report, which was read:

Ordered, That it be referred to the Board of Treasury.

A petition from Jeremiah Cady was presented to Congress, and read:

Resolved, That it be referred to the commissioners appointed to audit and settle the accounts in the northern army, who are directed to report specially thereon.

Certain resolutions from the convention of the state of New York were laid before Congress, and read:

Ordered, That they be referred to a committee of three:

The members chosen, Mr. [Francis] Hopkinson, Mr. [William] Whipple, and Mr. [John] Hart.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

¹The last two paragraphs were printed in the *Pennsylvania Gazette*, 13 November, 1776.

WEDNESDAY, NOVEMBER 6, 1776

A letter, of the 3, from R. H. Harrison, enclosing a letter from Brigadier General Parsons of the 2d;¹ one from General Schuyler, dated at Saratoga, October 30 last, with a copy of instructions to officers appointed to recruit for the service of the United States of America;² also a letter of the 31 October, from Jonathan Trumbull, deputy pay master general; and a letter of the 31 of the same month, from Governor Trumbull, with a resolve of the general assembly of Connecticut, appointing John Lawrence, Esq^r of Hartford, commissioner to superintend the loan office, in that state, were read:

Ordered, That the letter from General Schuyler, and that from Mr. Harrison, with the letter enclosed, be referred to the Board of War:

That from Governor Trumbull, and that from J. Trumbull, pay master, to the Board of Treasury.

Resolved, That the letter from General Schuyler, of the 29 August, which was received and read the 6 September, together with the memorial from Colonel Brown, and the officers' certificate enclosed therein, be referred to the Board of Treasury.

The Board of Treasury brought in a report, which was taken into consideration: Whereupon,

Resolved, That the report of a court of enquiry appointed by General Schuyler, and held at Albany the 5 October, in consequence of a resolution of Congress of the 30 July last, confirming General Montgomery's promise "to give to the troops concerned in taking the vessels on the Sorrel, all the public stores, except ammunition and provisions, on board thereof," be referred to the commis-

¹This letter is in the *Papers of the Continental Congress*, No. 152, III, 201.

²Schuyler's letter is in the *Papers of the Continental Congress*, No. 153, II, folio 471.

sioners for adjusting the accounts of the northern army; that they be directed to make strict enquiry into the matter, and inform themselves, by the evidence of persons who served at that time as quarter master and commissaries of stores in the said army, and of any others, what part, or whether all stores mentioned in the report, were taken for the public service; that they allow to the officers and men which they shall find entitled thereto, the amount of so many of the stores as shall appear to have been taken for the army as aforesaid, and have not been paid for, after deducting therefrom, such reasonable expences as have accrued to any of the captors in obtaining an adjustment of the prize money, and ordering the amount of such articles of the prize goods as the said captors have received, and were not given to them as bounties, to be deducted from their respective proportions; that the pay master be directed, upon receiving General Schuyler's warrant for payment of the same to proportion it amongst such officers and men, as the general and commissioners shall direct, agreeable to the pay allowed by the establishment at that time, without any regard to rations.

The Marine Committee brought in a report, which was taken into consideration: Whereupon,

Resolved, That three persons, well skilled in maritime affairs, be immediately appointed to execute the business of the navy, under the direction of the Marine Committee.

The remainder of the report, at the request of a colony, was postponed till to Morrow.

Resolved, That commissions be delivered to the captains and subalterns of the sixth Virginia batallion, the dates to be filled up by Brigadier General Stephen.

That 4,000 dollars be advanced to Colonel Lawson, of the 4th Virginia batallion, for the payment of said bat-

allion, he to be accountable, ||and that the money be paid into the hands of Thomas Gaskins.||¹

Two bills were presented to Congress; one drawn by General Lee, dated Petersburg, 28th September, 1776, for sixty four dollars; the other, by Jacob Morris, aid de camp to General Lee, of the same date, for one hundred and fifty dollars, both in favour of John Bannister, and drawn upon William Palfrey, Esq^r pay master general, Philadelphia:

Ordered, That they be ~~referred to the Board of Treasury~~ paid, and charged to the account of General Lee.

Resolved, That Wyllie Jones, Esq^r of Halifax, Robert Smith, Esq^r of Edenton, and Alexander Telfer, Esq^r of Halifax, or any two of them, be appointed to audit and settle the continental accounts in Virginia.

The Committee of Treasury reported, that there is due, To Benjamin Wallace, and to be paid to Charles Risk, for victualling 45 men of the flying camp, 4 45/90 dollars:

To Francis Hopkinson, Esq^r for his and James Wilson, Esq^r their expences, &c. at Bristol, to make enquiry respecting despatches sent from head quarters, and lost, by the express, 25 60/90 dollars:

To Sebastian Miller, for the hire of a waggon with money from Philadelphia to Boston, 65 30/90 dollars:

To John Gibson, Esq^r auditor general, for half a years' salary due the 9th of October last, ~~at the rate of 1,066 60/90 dollars per annum~~ 533 30/90 dollars:

Ordered, That the said accounts be paid.

The ship *Lady Catharine*, George Ord, master, which was sent out last winter, being returned,

Resolved, That the Secret Committee be empowered and directed to settle the accounts of the voyage, and

¹On margin is written in another hand: "Order drawn in favour Thomas Gaskins, to be delivered Col. Lawson."

report in what manner the cargo imported is to be disposed of.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, NOVEMBER 7, 1776

A petition from John Connolly, was read :

Ordered, That it be referred to the committee appointed to examine into the state of prisoners in the public gaol of Philadelphia.

Whereas, the late Major General Ward, since his resignation of his trust, has continued in command, in the eastern department, at the request of the commander in chief, and still continues therein at the request of Congress; it is, therefore,

Ordered, That he receive the pay of a major general, commanding in a separate department, from the 26th day of April last, being the time of his resignation, and until a suitable person shall be appointed to take the said command in his stead, or it shall be otherwise ordered by Congress.

Resolved, That Richard Bache be appointed post master general in the room of Dr. [Benjamin] Franklin, who is absent.

An appeal being on the first of this month lodged with the Secretary against the sentence passed in the court of Admiralty, for the port of Philadelphia, in the state of Pennsylvania, in the libel "John Barry, *qui tam* &c. vs. the sloop *Betsey*, &c."

Ordered, That it be referred to a committee of five, and that the said committee be empowered to hear and determine upon the said appeal:

The members chosen, Mr. [George] Wythe, Mr. [Robert

Treat] Paine, Mr. [James] Wilson, Mr. [William] Hooper, and Mr. [Edward] Rutledge.

Resolved, That the resolution passed the 14 October last, "that the allowance to officers of 1 1/3 dollar for inlisting soldiers be not extended or given on the reinlistment of the soldiers in camp," be repealed, and the same henceforth allowed.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That 266 2/3 dollars be advanced to Captain Francis Holland, and 133 1/3 dollars to Captain Robert Harris, both of the Maryland flying camp, they to be respectively accountable to the council of safety of that state for the said sums, which are to be for the use of, and charged to the account of, their respective companies:

That 1,110 3/4 dollars be advanced to Captain Alexander Lawson Smith, of the Late Colonel Stevenson's rifle regiment, to pay the subsistence money of, and to enable him to advance a month's pay to the said company:

That commissions be sent to General Schuyler, for Colonel Elmore's regiment to be filled up according to the ranks and times of service of the officers of the said regiment; the general making such arrangement therein as he shall think just and proper:

That commissions be also sent to General Schuyler, to be filled up with the names of the officers yet unprovided for, who have served in Canada, according to their ranks and merits, to complete Colonel Livingston's regiment:

That General Schuyler, agreeable to his request, have permission to repair to Congress, as soon as he shall be of opinion the service will admit of his absence from his department:

That General Schuyler be informed that Congress have

repeatedly applied to Maryland on the subject of the Nanticoke Indians, without having received an answer; that application shall again be made, and information given him of the result:

That General Schuyler be allowed to give such cloathing to the Indians as he shall think can be spared for that purpose:

That the deputy muster master general, in the northern department, have the rank of lieutenant colonel in the army of the United States:

That General Washington be requested to take proper steps for the trying all deserters from his army, and punishing, in the most exemplary manner the articles will admit, all such officers and soldiers who shall be base enough disgracefully to leave the service of their country at this time of trial and danger.

Resolved, That each of the persons to be appointed to execute the business of the navy, under the direction of the Marine Committee, be allowed the salary of fifteen hundred dollars per annum.

A letter from Colonel Miles to William Wister, was laid before Congress and read; wherein he intimates that an exchange may be accomplished of him for Mr. Foxcroft, and perhaps of Colonel Atlee, or Lieutenant Colonel Piper, for Mr. Dashwood:

Resolved, That the letter be transmitted to General Washington, and that he be desired to do therein what he shall think proper.

~~The Committee to whom part of the report of the Marine Committee was recommitted, brought in a report.~~

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, NOVEMBER 8, 1776

A letter, of the 4th, from R. Dallam, deputy pay master general, was read; Whereupon,

Resolved, That 5,000 dollars be paid to Gustavus Risberg, A. Q. M. general, and charged to the account of Richard Dallam, agreeable to the request of the said R. Dallam; and that the letter be referred to the Board of Treasury.

Resolved, That Doctor [John] Witherspoon have leave to take with him to Princeton, Archibald Gardiner, James Henderson, Peter Jack, and Hugh Ross, four of the prisoners lately sent to Philadelphia, and there to keep them till the farther orders of Congress.

The committee appointed to devise means for preventing the evils to be apprehended from the internal enemies of the United States, and hindering them from carrying on correspondence with the foreign enemies to the said states, brought in a report, which was read:

Ordered, That it be referred for consideration to Monday next.

A petition from Paul Christman, ensign in Captain William Keyser's company, from Maryland, in the German batallion, was read, praying for leave to resign his commission:

Resolved, That leave be granted.

The Committee of Treasury reported,

That there ought to be advanced to Colonel Valentine Crawford, one of the executors of the late Colonel Hugh Stephenson, on account of his estate, 100 dollars:

That there is due to the following Canadian prisoners, and to be paid to Captain Chartier de Lotbinier, 253 30/90 dollars: viz.

To Captain Lotbinier, for his allowance, from 2d November, 1775, to 31st October, 1776, being 52 weeks, at

2 dollars, 104 dollars; of which he received from General Schuyler, 14 $\frac{60}{90}$ dollars; remainder, 89 $\frac{30}{90}$ dollars:

To M. Tonancour, for his allowance, from 2d November, 1775, to 31 October, 1776, 52 weeks, at 2 dollars, 104.0 dollars:

To M. Dechambault, his allowance, from the 31 August to 8th November, being 10 weeks, at 2 dollars, 20.0 dollars:

To M. Fleurimont, his allowance, from the 31 August to the 8 November, 10 weeks, at 2 dollars, 20 dollars:

To M. St. Ours, his allowance, from the 31 August to the 8 November, 10 weeks, at 2 dollars, 20 dollars:

Ordered, That the said accounts be paid.

Resolved, That a committee of three be appointed to consider and report under what restrictions the suttlers, who supply the army, should be laid, and that the motions made by Mr. [Elbridge] Gerry, and seconded, be referred to this committee:

The members chosen, Mr. [Elbridge] Gerry, Mr. [George] Wythe, and Mr. [Oliver] Wolcott.

A petition from James Budden and T. Lawrence was read, requesting "leave to export provisions to Turks' Island, in order to bring in a load of salt from thence:"

Resolved, That leave be granted.

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That Mynheer N. D. Ottendorf be appointed a brevet captain in the service of the United States.

Resolved, That Tuesday next be assigned for taking into consideration the trade of these colonies ||states.||

Resolved, That the sum of 2,666 $\frac{2}{3}$ dollars be advanced to the committee appointed to contract for making cannon; they to be accountable.

A letter from Tench Coxe, at Trenton, to John Tabor Kempe, Esq^r of New York, was laid before Congress, ~~with a view to obtain leave to have it forwarded with a view to negotiate an exchange between Mrs. Kempe and Mrs. Lewis; and information being given to Congress that General Howe has applied by a flag to General Washington for leave to sundry Ladies to pass into New York; and leave requested to forward the same in order to obtain the release of Mrs. Lewis, who is detained ||a prisoner|| by the enemy on Long Island:~~

Resolved, That this matter be referred to the Board of War:

That the delegates of New Jersey be directed to cause strict enquiry to be made through what channel Mr. Kempe conveyed the intelligence mentioned in the foregoing letter.

Resolved, That 120 dollars be advanced to Captain George Gibson, of the first battalion of Virginia, he to account with the pay master general on the settlement of his accounts.

A letter from James Sullivan was read, and referred to the Board of War.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, NOVEMBER 9, 1776

Resolved, That two months' pay, being 250 dollars, be advanced to Brigadier General Roche de Fermoy, he to be accountable:

That he be ordered to repair to the northern army at Ticonderoga, and put himself under the command of General Schuyler.

A letter of the 3d from Timothy Danielson, chairman

of a committee of the general assembly of the state of Massachusetts bay, appointed to officer and enlist seven battalions out of the officers and soldiers in the continental army near White Plains, with sundry papers enclosed, was read:¹

Ordered, That the same be referred to a committee of three:

The members chosen, Mr. [James] Wilson, Mr. [Edward] Rutledge, and Mr. [George] Wythe.

Resolved, That two months' pay be advanced to Captain Ottendorf; and that he be ordered to repair to head quarters, near White Plains, and put himself under the command of General Washington.

The Committee of Treasury reported, that there is due,

To Robert Towers, commissary, for sundry articles purchased by him by direction of the Board of War, and to be charged to the account of the said Board, 526 74/90 dollars:

That 3,280 dollars be advanced to Captain Casdorp, to pay the arrearages due his company of carpenters sent to Ticonderoga: for which he is to account:

That 50,000 dollars be sent to Richard Dallam, deputy pay master general for the flying camp; he to be accountable:

Ordered, That the said sums be paid.

The committee appointed to consider and report under what restrictions the sutlers, who supply the army, ought to be laid, brought in a report, which was read; and, after some debate thereon,

Resolved, That a Sutler be appointed for y^e Army at New York, whose Business it shall be to provide at y^e cheapest Rate for y^e Soldiers, full Supplies of such necessary Articles as the General shall direct.

¹This letter is in the *Papers of the Continental Congress*, No. 65, I, folio 131.

That for this purpose he be supplied with Money by y^e General's Warrants on y^e paymaster, and provide such a Number of Assistants and Deputies, as y^e General shall direct; each of whom to be approved by the General and allowed the pay and Rations of a .

That to y^e Cost, Transportation, and other Expences of y^e Articles which he shall purchase, be added 10 per Ct.

That from his general Store, he shall order Supplies to be delivered to his Deputies, who shall be stationed in such different Parts of y^e Army as may be most convenient for supplying y^e Troops.

That he keep constantly posted at his Stores and also recorded, the prices to be given by y^e Soldiers for y^e Goods supplied by y^e Deputy Sutlers, to which y^e Soldiers may recur for preventing Impositions.

That he keep an Account of y^e Articles delivered to his Deputies, and direct them once a Week to make Return of such as have been sold, together with y^e Money arising from y^e Sale; and Also of y^e Articles remaining on Hand, as often as y^e Sutler shall judge it necessary.

That Rum or other Spirits shall not be supplied to any non Commission officer or Soldier, without permit from y^e commanding officer of his respective Company.

That y^e Deputy Sutler shall once a Month present a List of y^e Debts due to them from y^e Soldiers, to y^e paymasters of their respective Regiments, who shall make y^e proper stopages and discharge y^e same.

That y^e Sutler invest y^e Money which from Time from Time he shall receive from y^e Deputies in new Supplies for y^e Army.

That should any of his Deputies be detected in taking for Goods a higher price than he shall have affixed thereto, or neglect to adjust their Accounts as before directed, the same be by him forthwith removed.

That he make monthly payment to his Deputies of y^e Salaries allowed them by Congress, and be himself allowed y^e pay and Rations of a .

That he adjust his Accounts at y^e End of y^e Campaign with y^e Commissioners of Accounts, or oftener, if they shall judge it necessary, and charge therein y^e Salary granted as aforesd.

That on a final Settlement of his Accounts he return to y^e paymaster y^e Sums supplied him from y^e military Chest, and deliver to such person as y^e General shall appoint y^e Balance arising by profits on y^e Sale of Goods, to be distributed amongst y^e widows of such non Com-

mission officers and Soldiers, as may have lost their Lives in y^e Army during y^e ensuing Campaign.

That he take an Oath to y^e faithful Discharge of his Duty.¹

Resolved, That the farther consideration thereof be postponed to Monday.

Congress having received intelligence that a free and open communication and correspondence is kept up with the enemy on Staten Island and New York, from Elizabethtown, Newark, and the parts adjacent, to the great detriment of the American cause: It is therefore recommended to the governor, council, and assembly of the state of New Jersey, to take the most speedy and effectual measures to stop all communication between that state and the enemy's quarters, that shall not be directed by proper authority.

A memorial from Lawrence Bowden, late master of the ship *Royal Exchange*, taken by the *Columbus*, ship of war, was presented to Congress and read:

Ordered, That it be referred to the Marine Committee.

Resolved, That this Congress will, on Tuesday next, resolve itself into a committee of the whole, to take into consideration the means of supporting the credit of the continental currency.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, NOVEMBER 11, 1776

A letter, of the 6, from General Washington; and one, of the 8th, from Brigadier General Mercer;² were read, and referred to the Board of War.

¹This report, in the writing of Elbridge Gerry, is in the *Papers of the Continental Congress*, No. 21, folio 33. See note 4 on p. *post*.

²Washington's letter is in the *Papers of the Continental Congress*, No. 152, III, folio 213. It is printed in *Writings of Washington* (Ford), V, 1. That of Mercer is in No. 159, folio 214.

A letter from R. Bache, was read, and referred to the Board of Treasury.

Resolved, That Colonel James Livingston have leave to recruit his regiment in any of the United States.

A petition from Charles Noel Romand, Sieur de Lisle, captain in the corps of artillery in the service of France, was read and referred to the ~~Committee appointed to contract for casting cannon~~ Board of War.

Resolved, That the Board of War be empowered and directed immediately to confer with the council of safety of Pennsylvania, or a committee by them appointed, on the best ways and means of defending this city ||of Philadelphia,|| in case it should be attacked.

Resolved, That the Committee of the Treasury, or either of them, be empowered to administer oaths to persons whom they shall examine or employ in executing the resolutions of Congress.

The committee to whom the letter from Timothy Danielson, and the papers enclosed therein, were referred, brought in a report, which was taken into consideration, and, after debate,

Resolved, That the farther consideration thereof be postponed.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, NOVEMBER 12, 1776

A letter, of the 10th, from General Mifflin; one, of the 10th, from Richard Dallam; and one, of the 9, from Dr. Shippen, were read.¹

The Committee of Treasury reported, that there is due,

¹The letter of Mifflin is in the *Papers of the Continental Congress*, No. 161, folio 1. That of Dr. Shippen is in No. 78, XX, folio 75.

To George Stultz, for iron work, and repairing a continental light waggon, 12 60/90 dollars:

To John Tyler, for bayonet scabbards, and repairing arms for the German batallion, 82 30/90 dollars:

To Mons. Lotbinier, a Canadian chaplain, for his pay and rations, from 10 October to 10 November, 41 30/90 dollars:

To Doctor Beaumont, a prisoner, of the 26th regiment, for his allowance from 21 July to 3 November, inclusive, being 15 weeks, at 2 dollars a week, 30 dollars:

To William M'Leod, a prisoner, of the 59th regiment, for his allowance from 21 July to 3 November, inclusive, being 15 weeks, at 2 dollars per week, 30 dollars:

That there is to be paid to Daniel du Chemin, for the allowance due to Messrs. Hertel, Giasson, and la Magdalaine, Canadian prisoners, from the 1 August to 6th November, inclusive, being 14 weeks, at 2 dollars a week, is 28 dollars each, 84 dollars:

That there should be paid to Joel Zane, for the allowance due to Lieutenant Hamar, of the 7th regiment, from 20 July to 1 November, inclusive, being 15 weeks, at 2 dollars a week, 30 dollars; and to Captain Swan, of the 26th regiment, from 21 June to 1st November, being 19 weeks, at 2 dollars, 38 dollars; the whole 68 dollars:

To James Budden, for his, and others of the light horse, their expences as an escort with money to New York, 82 dollars, and for his expences with General Prescott from Reading to Philadelphia, 24 42/90 dollars; both sums making 106 42/90 dollars:

To William Woodhouse, for wafers for the use of Congress, 1 12/90 dollars:

To Thomas Smith, for paper for the use of the commissioners for the New York department, 15 78/90 dollars:

That there should be paid to Dr. Rush, 625 dollars for

5 months' advance pay to Brigadier General Thompson, he to be accountable:

Ordered, That the said accounts be paid.

The Committee of Treasury, to whom that part of the petition and memorial of John Brown, Lieutenant Colonel of the regiment commanded by Colonel Elmore, praying that his extraordinary services in Canada, last year, may be considered, was referred, brought in a report, which was read:

The committee, to whom that part of the petition and memorial of John Brown, Lieutenant Colonel of the regiment commanded by Colonel Elmore, praying that his extraordinary services in Canada last year may be considered, was referred, have examined the matter thereof; and report, that, according to the narrative of Colonel Browne, contained in his letter to Major General Schuyler, he performed many valuable services in Canada; that he was instrumental in procuring useful intelligence of the number and strength of the british forces and armed vessels there, and of the inclinations and designs of the inhabitants and savages; that he cut off the communication between Saint John's and the circumjacent country, surprized Laprairie, took Chamblé, captivated prisoners, and seized stores and other things; and that during the whole campaign he was almost continually in some active employment, by night as well as by day, suffering much fatigue and hardship, and frequently exposed to dangers; that these allegations are in some measure supported partly by letters to Congress from the late Brigadier General Montgomery, dated the 19 and 24 of September, 16 and 20 of October, 3 of November, and 5 of December, 1775, with the articles of capitulation at Chamblé when it was surrendered, and partly by a certificate signed by Colonels James Livingston and Timothy Bedel, Major Robert Cockran, and Captains Gershom Motte and William Satterlee. That on the eighth day of November, 1775, the Congress in their instructions to the gentlemen appointed to repair to Ticonderoga, authorised them, among other things, to assure Major Brown and Major Livingston. 'that Congress had a just sense of their important services, and would take the first proper opportunity to reward them.'

But it appears to the committee, that, if Colonel Brown be rewarded by promotion in military rank, which is supposed to have been designed by that assurance, his eye-sight is so impaired by the cold weather last

winter that he will not be able to perform the duty of his office, unless it be in some stationary post. It is therefore upon the whole matter submitted to Congress to determine whether any further provision ought to be made for him or in what other manner, he having been [29 July, 1776] promoted to the rank of lieutenant colonel from that of major.¹

Ordered, To lie on the table.

A letter to Willing & Morris, from Samuel Smith, master of the *Hancock & Adams*, (who, on his passage to Philadelphia, was taken by the *Gamecock* privateer, of Rhode Island, commanded by Timothy Pierce, and carried into Bedford, in the Massachusetts bay) dated Bedford port, November 1, was laid before Congress and read :

Ordered, That it be referred to the Secret Committee, and that they report the cargo of the *Hancock & Adams*, and how it ought to be disposed of.

The Board of War, ||to whom a request from the state of Virginia was referred,|| brought in a report, which was taken into consideration ; Whereupon,

Resolved, That the demands of the Continent for cannon are at present of so pressing a nature that none can be spared for the particular use of any state ; but, as soon as a sufficient quantity of ordnance is supplied to the United States, the request of the state of Virginia, to be permitted to purchase cannon at Hughes's works, shall be complied with.

That Monsieur Romand de Lisle be appointed a major of artillery in the service of the United States, and sent to General Washington, to be employed as he shall think proper.

A petition from James M'Connaughy was read,² and referred to the Board of War.

¹The report is in the writing of George Wythe, and is in the *Papers of the Continental Congress*, No. 19, I, folio 419.

²This petition, without date, is in the *Papers of the Continental Congress*, No. 42, V, folio 31.

A memorial from Azariah Dunham was presented to Congress, and read :

Ordered, That it be referred to the council of safety of Pennsylvania.

A letter, of the 9th, from General Washington, enclosing a letter of the 31 of October from General Gates, at Ticonderoga, was read.¹

Congress resumed the consideration of the report of the committee on the letter of Timothy Danielson ; Whereupon,

Resolved, As the opinion of this Congress, that if the soldiers to be raised by the state of Massachusetts bay, be inlisted on the terms offered to them, which are more advantageous than what are offered to other soldiers serving in the same army, it would much retard, if not totally impede, the inlistment of the latter, and produce discontent and murmur, unless Congress should equally increase the pay of these, which, it is the opinion of this Congress, would universally be reprobated as an immoderate expence, and complained of as a grievous burden by those who must bear it ; and, therefore, that the committee from the state of Massachusetts bay be desired not to inlist their men on the additional pay offered by the assembly of that state.

Upon re-considering the resolution of the 16th of September last, for raising eighty eight batallions to serve during the present war with Great Britain, Congress being of opinion, that the readiness of the inhabitants of these states to enter into the service for limited times, in defence of their invaluable privileges, on all former occasions, gives good ground to hope the same zeal for the public good will appear in future, when necessity calls for their assistance, and, least the uncertain length of time which

¹ Washington's letter is in the *Papers of the Continental Congress*, No. 152, 111, 219.

forces, raised during the continuance of the war, may be compelled to serve, may prevent men from inlisting who would otherwise readily manifest their attachment to the common cause, by engaging for a limited time; therefore,

Resolved, That all non-commissioned officers and soldiers who do not incline to engage their service during the continuance of the present war, and shall inlist to serve three years, unless sooner discharged by Congress, shall be entitled to, and receive all such bounty and pay as are allowed to those who inlist during the continuance of the present war, except the one hundred acres of land; which land is to be granted to those only who inlist without limitation of time. And each recruiting officer is required to provide two distinct inlisting rolls, one for such to sign who inlist during the continuance of the war, and the other for such as inlist for three years, if their service shall be so long required.¹

¹“Inclosed you have another Resolve which the necessity of recruiting an army immediately to the Eastward has rendered proper. Congress, tho’ well convinced of the utility of enlisting men *during the War*, as it would tend to prevent the frequent calls for bounty upon newenlistments, and obviate the difficulties which would result from troops leaving Camp when their services are most essential, and when perhaps the fate of America might depend upon their stay, that we might have an army enured to service and discipline, thought proper to direct them to be raised during the war. An application from the State of Mass^{ts}, accompanied with the information that Connecticut and Rhode Island were pursuing similar and equally improper means to compleat their levies, finding that these States urged as an excuse for their extraordinary bounties, the insurmountable difficulties which they met with in recruiting men during the war, suggesting that Soldiers complained of such an engagement as a contract for perpetual servitude, the Continental Congress thought proper to relax and shorten the terms of Enlistment, agreeable to the Resolve which I send you herewith and which the above will fully explain.” *William Hooper to the Provincial Congress*, 16 November, 1776. *Colonial Records of North Carolina*, X, 907.

“By this express you will probably receive a resolve which Congress have been forced into by the additional bounty and pay which have been offered by some of the New England States, and the additional bounty which hath been offered in one of them. This measure is condemned by many members of Congress, and by our General. It will, they say, necessitate the other States to do the same, which will greatly enhance the continental debt and expense; or we must have an army doing

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, NOVEMBER 13, 1776

A letter, of the 12 of October, from Joseph Trumbull, commissary general, was read;¹ Whereupon,

Resolved, That 40,000 dollars be advanced to Thomas Lowry, and charged to the account of Mr. J[oseph] Trumbull, agreeable to his request.

The Marine Committee having recommended Colonel John Nixon, and John Wharton, as fit persons to execute

the same services for different rewards, which would occasion jealousies, envyings and discord among the soldiers, to the great injury of the public service. As we have only offered an additional bounty, we are less culpable in the estimation of those who condemn the deviation from the original resolve, than any of the transgressors. It is now in the option of soldiers to enlist for three years without the grant of land, or during the war with it. This alternative, with the retiring of the enemy, will, I hope, answer the purpose." *William Ellery to Governor Cooke*, 16 November, 1776. *Rhode Island in the Continental Congress*, 99.

"I have seen your opinion to our Commissioners, that they should proceed and enlist our troops for three years. I am apprehensive you do not see the opinion and object of Congress in its fullest extent. The Congress will agree that Maryland may raise her troops for three years, but have declared, and now hold, our State bound to contribute her proportion of the expense attending the procuring of lands for the officers and soldiers furnished by other States for the war.

"We have proposed and urged on Congress that the question as to the procuring lands at the expense of the United States, and our claim that the back lands acquired from the Crown of Great Britain in the present war, should be a common stock for the benefit of the United States, and should remain open for the determination of some future Congress.

"We have proposed that any State which may raise its quota for the war and give a bounty in lieu of land should indemnify the United States from any claim from their officers and soldiers who received an allowance in lieu of land, and that such State should not be chargeable to the United States for any part of the expense attending the procuring of lands for the officers and soldiers of the other States who shall furnish troops for the war. Both these propositions have been rejected. This day a resolve passed that each State be at liberty to enlist for the war or three years. What our Commissioners will do I know not, nor can I advise them. I am amazed at the obstinacy of Congress." *Samuel Chase to the Council of Safety of Maryland*, 21 November, 1776. *Force, American Archives*, Fifth Series, III, 788.

¹This letter had already been read on October 16, *ante*.

the business of the navy, under the direction of the Marine Committee,

Resolved, That they be accepted.

A letter, of the 10 November, from M. Tilghman, president of the convention of Maryland, enclosing sundry resolutions of that body, relative to the raising their quota of the new levies, was laid before Congress, and read:¹

Ordered, That Mr. President furnish the commissioners of the said state, sent therefrom to raise their levies, with the resolution of yesterday, admitting the new levies to inlist for three years only, and, at the same time inform them, that, if the inhabitants of that state will inlist to serve during the continuance of the present war, they already have the faith of the United States of America pledged for the land to be granted to such soldiers.²

The Committee of Treasury reported, that there is due,

To Mons. la Marque, a Canadian prisoner, for his allowance from the 31 August to the 8 November, inclusive, being 10 weeks, at 2 dollars per week, 20 dollars, to be paid to Mons. de la Magdalaine:

To Captain Thomas Gamble, a prisoner of the 47 regi-

¹ This letter is in the *Papers of the Continental Congress*, No. 70, folio 75.

² "Congress have this day given an answer to the resolutions of our State, which being an entire new one, we have despatched to the proper place to be considered. They resolve that the troops may be inlisted for three years, and a bounty of twenty dollars only to be given; or during the war, and one hundred acres of land be added to the bounty. They will not specify where the land lies belonging to the *United States*.

"Our instructions run that they are to be inlisted during the war; of course when our State accedes to it we can proceed. Congress has got rid of the difficulty with respect to the land, and has not closed in with either of the propositions made by our State, nor receded entirely from their own resolution. But if they have escaped, they embarrass us. What can we do with our Regulars? They are inlisted during the war. Must we inlist them again in the service of the State for three years? I imagine our State will not incline to do so; if they do, we ought to have instructions on that head." *Benjamin Rumsey to Daniel of St. Thomas Jenifer*, 13 November, 1776. Force, *American Archives*, Fifth Series, III, 660.

ment, for his allowance from the 10 August, to the 2 November, inclusive, being 12 weeks, at two dollars per week, 24 dollars, and to be paid to James Biddle, Esq^r.

To Michael Leightner, and to be paid to George Aston, for victualling troops on their march, 15 5/90 dollars.

To John Nourse, for ferriage of himself, General Lee and his servants, horses, &c. over Hoes' ferry, 4 60/90 dollars, to be paid to Colonel [Benjamin] Harrison:

To Doctor Samuel Wilson, for board, attendance, and medicine, to sick soldiers of the 6 Virginia regiment, 33 60/90 dollars:

To Wollore Meng, for 12 scabbards delivered to Captain Ralph Falconer, of the 5th Virginia batallion, 4 72/90 dollars:

That there should be paid to Thomas Armer, on account of Elizabeth Robinson, for so much short paid on settlement of her account, the 14th October last, for board, &c. of sick soldiers belonging to Captain Grier's company, 10 dollars:

That there should be paid to the Pennsylvania hospital, for the support and cloathing of John Hughes, a wounded soldier, 36 54/90 dollars:

That there should be paid to Adam Eccle, 8 78/90 dollars, being so much paid by him to Serjeant John Byers, of Captain Hubley's company, in Colonel Shee's batallion, to enable him to support his party, being a guard to powder from Philadelphia to North Carolina:

That there is due to William O'Hara, a soldier in the late Captain William Hendricks' company, taken at Quebec, and now returned, for his pay from 1st January to 10 November, 1776, being 10 months and 10 days, at 6 2/3 dollars a month, 68 80/90 dollars:

To Henry Taylor, a soldier in Captain Smith's rifle company, taken at Quebec, and now returned, for his pay

from 1 June to 10 November, being 5 months and 10 days, at 6 2/3 dollars, 35 50/90 dollars:

To Dr. William Sarringhaus, for medicine and attendance to the sick of Captain Woelpper's company, in the German batallion, 24 1/90 dollars.

To Benjamin Eyre, ship wright, for his pay and rations, employed in constructing row gallies at New York, horse hire, and travelling expences to Albany, to engage boards, &c. for the army, 427 77/90 dollars:

That 60,000 dollars be sent to Richard Dallam, Esq. deputy pay master general of the flying camp, for the use of the army:

That there is due to Daniel Naeff, for the ferriage of Virginia troops, their baggage, waggons and horses, over the Susquehanna, 61 72/90 dollars:

To Andrew M'Nair, for his attendance on Congress 146 days, cleaning house, &c. to the 1st November, 118 81/90 dollars:

Ordered, That the said accounts be paid.

The Board of Treasury brought in a farther report respecting the certificates to be given to the lenders of the 5 millions of dollars, voted to be borrowed, which was read.

The Board of War brought in a report, which was taken into consideration: Whereupon,

Resolved, That 2,000 dollars be advanced to Colonel Hausegger for the use of the German batallion; he to be accountable.

That the remainder of the report be postponed till to Morrow.

The Secret Committee, to whom the letter from Captain Smith was referred, brought in a report, which was taken into consideration: Whereupon,

Resolved, That the Secret Committee be directed to

write letters to Governor Cooke, to the continental agent in Rhode Island, and such other persons as they shall think proper, to make strict enquiry into the conduct of Captain Timothy Pierce, respecting the capture or seizure of the ship *Hancock & Adams*, employed in the continental service, and cause him to be prosecuted for the penalty of the bond given, when he received his commission, if it shall appear, on the enquiry, that in justice to the Continent, such prosecution should be commenced; and the said committee are authorized to do what may be necessary for supporting the prosecution.

Resolved, The remainder of the report postponed.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, NOVEMBER 14, 1776

A letter, of the 4th, from R. H. Harrison; and a letter, of the 17th October, from James Bowdoin, Esq^r were read,¹ and referred to the Board of War.

Resolved, That a committee of two be appointed to confer with the council of safety of Pennsylvania, and enquire what quantity of salt they have now on hand, or expect shortly, and what proportion can be spared for the public service:

The members chosen, Mr. S[amuel] Adams, and Mr. [William] Whipple.

Information being given to Congress, that part of the enemy's fleet was seen coming out of the Hook, and steering their course to the southward:²

Resolved, That copies of the letter, giving the informa-

¹ Harrison's letter is in the *Papers of the Continental Congress*, No. 152, 111, folio 209. That of Bowdoin is in No. 65, 1, folio 127. It introduced Faneuil and his followers, coming from Cape François.

² The information came from James Searle, at Long Branch, New Jersey.

tion, be sent by express to the General, and to Governor Livingston, of New Jersey, and also to the southern states.

Resolved, That the Board of War do immediately confer with the council of safety of this state, and co-operate with them in devising ways and means and [for] calling forth the strength of this and the neighbouring states, for the defence of this city, against any attempts which the enemy may make to obtain possession of it; and that, for this purpose, the Board of War be invested with the full powers of this Congress, to promote most effectually this important purpose:

That the Marine Committee also be directed to make such disposition of the naval force, now in the river Delaware, or the neighbourhood thereof, as will best conduce to defeat the designs of the enemy.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, NOVEMBER 15, 1776

A letter, of the 11, from General Washington, at Peek's kill;

One of the 5, from General Gates, at Ticonderoga, advising the retreat of General Carleton from Crown Point; one, of the 8th, from General Schuyler, at Albany; one of the 12th, from General Greene; and one, without date, from General Lewis; and one from Robert Ogden, of the 11th; and one from R. Dallam to R. Peters, were laid before Congress, and read:¹

Ordered, That the letter from General Lewis be referred to the Marine Committee.

¹ Washington's letter is in the *Papers of the Continental Congress*, No. 152, III, folio 245. It is printed in *Writings of Washington* (Ford), V, 19. That of Schuyler is in No. 152, II, folio 483; that of Gates is in No. 154, I, folio 113; that of Greene is in No. 155, I, folio 19; that of Ogden is in No. 78, XVIII, folio 9; and that of Dallam is in No. 78, VII, folio 79.

Resolved, That the council of safety of Pennsylvania be requested to supply Mr. E. Blaine, with 230 bushels of salt, for the public service: That the said council of safety be, and they are hereby requested, to supply Messrs. Lowry, Wharton, Ogden, and Dunham, ||assistants to the commissary general,|| or either of them, with one half of such quantities of salt, as are, or may be, in their hands, for the use of the Continent.

Two memorials, one from Eleazar Oswald, and the other from Samuel Lockwood, were read, and referred to the Board of War.

Mons^r Romand de Lisle, who was, on the 12, appointed a major of artillery, thinking that appointment inadequate to his merit and abilities, requesting to be sent to General Washington, that he may have an opportunity of giving a specimen of his abilities:

Resolved, That he be permitted to go to General Washington.

Ordered, That the Marine Committee apply to the council of safety of Pennsylvania, for 1,500 24 lb. 1,800 18 lb. cannon shot, and 500 bar shot, which shall be re-placed by Congress; and that the said committee send the shot and 6 tons of powder to South Carolina, for the defence of that state and North Carolina:

That a copy of the intelligence contained in General Greene's letter of the 12th, be sent by express, with all possible expedition, to the southern states.

The Secret Committee having reported, that the cargo belonging to the continent, imported in the *Hancock & Adams*, consisted of the following articles, viz. 72 chests of arms, 311 barrels of gunpowder, 338 pigs of lead, 9 casks of gun flints, 1 case of pins, 133 barrels of tin plates, 5 cases of iron wire, 70 casks of salt petre, and 10 bales of merchandise:

Resolved, That the Secret Committee direct the entire cargo of the *Hancock & Adams* to be landed at Bedford, and deposited in places of safety, under the care of the committee of that place, until ordered from thence:

That the muskets, powder, lead, and gun flints, be delivered by the committee of Bedford, to the order of the Board of War, who are to inform the General of these stores, and direct the whole, or any part that may be wanted for the use of the army, ||to be delivered to him;|| with an injunction not to put the muskets into the hands of any but those soldiers who enlist under the late resolves and regulations of Congress:

That every part of the merchandise on board the said ship, that is now wanted for the use of the army, be applied to that use, and that the Secret Committee inform General Mifflin, the quarter master general, thereof, and enclose him an order for the immediate delivery of all such parts as he shall desire:

That the remainder of this cargo be subject to the directions of the Secret Committee, who are empowered to order it from thence, either by sea or land, to any other part or parts of these states, where the articles may be wanted for the public service.

The Committee of Treasury reported, that there is due,

To the trustees for the poor of Frederic county, Maryland, for board and attendance of sick soldiers of the Maryland troops in continental service, 58 30/90 dollars, and to be paid to Nicholas Hower:

To Dr. Nicholas Way, for medicine, attendance, lodging, nursing, &c. of sick soldiers of the 5th and 6th Virginia regiments, 467 36/90 dollars.

Ordered, That the said accounts be paid.

Congress took into consideration the report of the committee to whom that part of the report of the Marine

Committee relative to the pay and rank of the marine, was recommitted; Whereupon,

Resolved, That a bounty of 20 dollars be paid to the commanders, officers, and men of such continental ships or vessels of war, as shall make prize of any British ships or vessels of war, for every cannon mounted on board each prize, at the time of such capture, and 8 dollars per head for every man then on board and belonging to such prize:

That the rank of the naval officers be to the rank of officers in the land service, as follows:

Admiral	as a	General,	Captain of 20 to 40
Vice Admiral		Lieutenant general,	guns Lieutenant colonel,
Rear Admiral		Major general,	Captain of 10 to 20
Commodore		Brigadier general,	guns Major,
Captain of a ship of 40			Lieutenant in the
guns and upwards	Colonel,		navy Captain.

That the pay of all officers and men in the American navy, from the date of the new commissions, under the free and independent states of America, be as follows ||per calendar month||:

	<i>Ships of 20 guns and upwards.</i>	<i>Of 10 to 20 guns.</i>		<i>Ships of 20 guns and upwards.</i>	<i>Of 10 to 20 guns.</i>
Captain,	60 dolls.	48 dolls.	Armourer,	9 dolls.	9 dolls.
Lieutenant,	30	24	Sail maker,	10	10
Master,	30	24	Sail maker's mate,	8 1/3	8 1/3
Master's mate,	15	15	Yeoman,	8 1/2	8 1/2
Boatswain,	15	13	Quarter master,	9	8 1/2
Boatswain's mate,	9 1/2	9	Cook,	9	8 1/2
Gunner,	15	13	Coxswain,	9	9
Gunner's mate,	9 1/2	9	Captain's clerk,	15	12
Surgeon,	25	21 2/3	Steward,	10	10
Surgeon's mate,	15	13 1/3	Chaplain,	20	none
Carpenter,	15	13	Yeoman of powder		
Carpenter's mate,	9 1/2	9	room,	9 1/2	9
Cooper,	9	9	Master at arms,	10	9
Midshipman,	12	12	Seamen,	8	8

That vessels, under ten guns, to be commanded by lieutenants:

||That the pay of the officers in such vessels be,||

Lieutenant commanding,	30 dollars;	Gunner,	-	12 dollars;
Mates,	-	Carpenter,	-	12
Boatswain,	-			
	15			
	12			

The other officers and men the same as in vessels from 10 to 20 guns:

Marine officers,— Captain, 30 dollars. | Lieutenant, 20 dollars.

Non-commissioned officers and soldiers the same as in the land service.¹

Resolved, That the president write to General Washington, and inform him, he has leave to negotiate an exchange of the foreign troops in the pay of Great Britain, that are prisoners to these states.

Congress took into consideration a report from the Board of Treasury, for carrying into execution the resolutions of Congress relative to the loan office; Whereupon,

Resolved, That the certificates be of the following denominations:

737 of 1,000	737,000	2,940 of 400	1,176,000
1,470 of 600	882,000	3,675 of 300	1,102,500
2,205 of 500	1,102,500		
		11,027	5,000,000

That the value or denomination of the certificates, be, in different parts thereof in print and writing:

That each denomination have a check letter, corresponding with a letter in the margin to be left in the book:

That the several denominations be further distinguished from each other, by having the border, at the end of the certificate, varied or altered from the rest:

That the engraved ornaments between the margin, or part left in the book and the certificate, be cut indented-wise, first having occasional dashes made with a pen

¹ Printed in the *Pennsylvania Gazette*, 20 November, 1776.

across it, of the colour with which the treasurer signs his name:

That the impressions of the rolling press, with the signature of the treasurer, in certificates of the highest denomination, be made with yellow ink, of the second with blue, of the third with red, of the fourth with green, and of the fifth or lowest denomination with purple.

A petition from Joseph Dean, Matthew Irwin, John Dunlap and Benjamin Harbeson, was read, and referred to the Board of War.

Dr. Charles Ludwig having been duly examined on the practice of surgery and medicine, and recommended as duly qualified,

Resolved, That he be appointed surgeon to the German batallion.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, NOVEMBER 16, 1776

Resolved, That 300 dollars be advanced to the secretary of the Board of War, to defray contingent expences; he to be accountable.

Resolved, That it be recommended to the convention of North Carolina, to station ||brigadier|| General Moore, with the regular troops under his command, in such parts of that state, or of the state of South Carolina, where they will be in a capacity to render immediate and seasonable assistance to their friends in South Carolina; and that they may be upon the spot to oppose the enemy, when, and wheresoever, they shall attempt to make their landing good in that state; and that the convention of North Carolina do, immediately, at the continental expence,

embody five thousand militia, to compleat any military operations already begun by General Moore, to defend the state of North Carolina, or march to the relief of their neighbours in South Carolina, or Virginia, where there shall be most occasion for their support.¹

The Committee on the Lottery, brought in a report, which was read :

Ordered, To lie on the table to be taken into consideration on Monday next.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, NOVEMBER 18, 1776

Resolved, That the sum of 40,000 dollars be advanced to the council of safety of Pennsylvania; the said state to be accountable.²

A letter, of the 14, from General Washington, enclosing copies of letters which passed between him and General Howe; one of the 6th, from General Gates; one, of the 10, from Richard Stockton and G. Clymer, at Albany; one, of the 11, from General Schuyler, at Albany; one, of the 16th, from Brigadier General Stephen, at Amboy;

¹ "The Representation of the delegates of South Carolina, stating the weakness of that Colony and its incompetency to its own defence, if attacked by a formidable force of the Enemy, its reliance upon North Carolina for that succour which it had little reason to expect from any other source; their apprehensions that an attack was immediately intended by General Howe upon Charlestown, have induced Congress to pass a resolve which this incloses." *William Hooper to North Carolina Convention*, November 16, 1776. *Colonial Records of North Carolina*, X, 904. The condition "at the continental expence" was made on Hooper's motion, as he "could not consent to any arrangement which might weaken our internal resources without a competent substitute in lieu of them."

² The resolution of the Council of Safety calling for this amount, dated November 18, is in the *Papers of the Continental Congress*, No. 69, 1, folio 249.

and one, from B. Harrison, of the 1st, ||pay master in the southern department;|| and, one of the 8th, from Brigadier General Lewis, at Williamsburg, were read :¹

Also a letter and memorial from Joseph Trumbull, and a memorial from Ebenezer Hazard, were read, and referred to the Board of Treasury.

Ordered, That the letters from General Washington, General Schuyler, and General Gates, and General Stephen, be referred to the Board of War; and the letters from Brigadier General Lewis and from B. Harrison, be referred to the Board of Treasury.

A letter from Juliana Zedwitz was read, and referred to the Committee on the State of Prisoners.

Resolved, That a member be added to the said committee, and that they be directed to take into consideration the case of Lieutenant M'Lean, who was sent to Philadelphia by General Wooster:

The member chosen, Mr. [William] Hooper.

The Marine Committee having recommended Francis Hopkinson, Esq^r as a fit person to execute the business of the navy, under their direction,

Resolved, That he be accepted.

A memorial of Isaac Cox, in behalf of Alexander Frazer and others, inhabitants of the Island of Providence, owners of two sloops called the *Dragon* and the *Molly*, taken by private sloops of war, called the *Congress* and the *Chance*, and brought into the port of Philadelphia, but afterwards released,¹ praying for letters of safe conduct for the said sloops to the port of Providence, in order to

¹The letter of Washington is in the *Papers of the Continental Congress*, No. 152, III, folio 249. It is printed in *Writings of Washington* (Ford), V, 24. The letter of Gates is in No. 154, I, folio 117; that of Schuyler is in No. 153, II, folio 487; two letters from Stockton and Clymer of the 10th are in No. 21, folio 21, and No. 78, XX, folio 79. A letter from Schuyler to Stockton and Clymer, dated November 6, with other papers, is in No. 21, folios 85, 99. The letter from Stephen is in No. 162, folio 229.

prevent any arrest or molestation from ships of war in the service of the United States.¹

Resolved, That the prayer of the petition be granted.

A petition from Muscoe Livingston, was read:

Ordered, That it be referred to a committee of three:

The members chosen, Mr. [James] Wilson, Mr. [George] Wythe and Mr. [George] Ross.

Congress took into consideration the report of the Committee on the Lottery; Whereupon,

Resolved, The scheme of the lottery be as follows, viz.

That it consist of 100,000 tickets, each ticket to be divided into four billets, and to be drawn in four classes.

FIRST CLASS, at 10 dollars each billet,	-	-	1,000,000	
Deduction, at 15 per cent.	-	-	150,000	
				850,000
Prizes. 1 of 10,000	-	-	10,000	
2 of 5,000	-	-	10,000	
30 of 1,000	-	-	30,000	
400 of 500	-	-	200,000	
20,000 of 20	-	-	400,000	
Carried to the fourth class	-	-	200,000	850,000
SECOND CLASS, 100,000 billets at 20 dollars each,	-	-	2,000,000	
Deduction, at 15 per cent.	-	-	300,000	
				1,700,000
Prizes. 1 of 20,000	-	-	20,000	
2 of 10,000	-	-	20,000	
10 of 5,000	-	-	50,000	
100 of 1,000	-	-	100,000	
820 of 500	-	-	410,000	
20,000 of 30	-	-	600,000	
Carried to the fourth class,	-	-	500,000	1,700,000
THIRD CLASS, 100,000 billets at 30 dollars each,	-	-	3,000,000	
Deduction, at 15 per cent.	-	-	450,000	
				2,550,000

¹This memorial is in the *Papers of the Continental Congress*, No. 41, II, folio 13.

Prizes.	1 of 30,000	-	-	30,000	
	1 of 20,000	-	-	20,000	
	2 of 15,000	-	-	30,000	
	2 of 10,000	-	-	20,000	
	10 of 5,000	-	-	50,000	
	200 of 1,000	-	-	200,000	
	1,000 of 500	-	-	500,000	
	20,000 of 40	-	-	800,000	
	Carried to the 4th class,	-	-	900,000	2,550,000
FOURTH CLASS,	100,000 billets at 40 dollars each,	-	-	-	4,000,000
	Deduction, at 15 per cent.	-	-	-	600,000
					<hr/>
					3,400,000
	Brought from the first class,	-	-	-	200,000
	from the second class,	-	-	-	500,000
	from the third class,	-	-	-	900,000
					<hr/>
				Total,	5,000,000
Prizes.	1 of 50,000	-	-	50,000	
	2 of 25,000	-	-	50,000	
	2 of 10,000	-	-	20,000	
	10 of 5,000	-	-	50,000	
	100 of 1,000	-	-	100,000	
	200 of 500	-	-	100,000	
	1,000 of 300	-	-	300,000	
	15,000 of 200	-	-	3,000,000	
	26,000 of 50	-	-	1,300,000	
				<hr/>	5,000,000

The lottery being intended to raise a sum of money on loan, bearing an annual interest of four per cent. which, with the sums arising from the deduction, is to be applied for carrying on the present most just and necessary war, in defence of the lives, liberties and property of the inhabitants of these United States:

Resolved, That the fortunate adventurers in the 1st class, who draw more than 20 dollars, and so in the 2d and 3d classes, who draw more than 30 or 40 dollars, shall, at their option, receive a treasury bank note for the prize or

prizes drawn, payable at the end of five years, and an annual interest on the same, at the rate of four per cent., or the pre-emption of such billets in the next succeeding class, as shall not be renewed within the time hereinafter limited. Every adventurer in the 1st class shall have a right to go through the subsequent classes, but shall not be obliged to do it. The drawers of 20, 30 and 40 dollars in the 1st, 2d and 3d classes, who do not apply for their money within six weeks after the drawing ends, shall be deemed adventurers in the next succeeding class, and have their billets renewed without any further trouble. If any others shall neglect or decline taking out and paying the price of their billets, for a subsequent class, within six weeks after the drawing ends, their billets shall be sold to the fortunate adventurers in the preceding class, or to such as shall apply for the same. The fortunate adventurers in the last class, who draw 50 dollars, shall, upon application to the commissioners of the loan offices in the respective states, where the drawers reside, receive their money, without any deduction, and all who draw above that sum, shall receive in like manner, without deduction, for the sums drawn, bank treasury notes payable at the end of five years after the drawing, at the loan office of the state in which the drawers reside. The interest to commence from the last day of drawing, and to be paid annually at the said respective loan offices:

That, for carrying into execution the said lottery, there shall be seven managers, who shall give bond, and be on oath, for the faithful discharge of their duty:

That the money, as fast as received by the managers for billets, be lodged in the continental treasury:

That the drawing of the first class begin at Philadelphia, on the 1st of March, 1777, or sooner, if sooner full.

Resolved, That the further consideration of the report be postponed till to Morrow.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, NOVEMBER 19, 1776

The convention of Maryland having appointed new delegates, two of them attending, produced the credentials of their appointment, which were read, as follows:

MARYLAND

IN CONVENTION, *November 10, 1776*

Resolved, That the Hon. Matthew Tilghman, Esq^r and Thomas Johnson, Jun. William Paca, Thomas Stone, Samuel Chase, Benjamin Rumsey, and Charles Carroll, Bar. Esquires, or any three or more of them, be Delegates to represent this State in Congress, until the first Day of March next, or until the General Assembly shall make further order therein; and that the said Delegates, or any three or more of them, be Authorized and empowered to concur with the other United States, or a Majority of them, in forming a Confederation, and in making foreign Alliances; provided that such Confederation, when formed, be not binding upon this State without the Assent of the General Assembly; and the said Delegates, or any three or more of them, are also Authorized and Empowered to concur in any Measure which may be resolved on by Congress, for carrying on the War with Great Britain, and securing the Liberties of the United States, reserving always to this State the sole and exclusive Right of regulating the internal Police thereof. And the said Delegates, or any three or more of them, are hereby Authorized and Empowered, notwithstanding any Measure heretofore taken to concur with the Congress, or a Majority of them, in accommodating our unhappy Difference with Great Britain, on such Terms as the Congress, or a Majority of them, shall think proper.

Extract from the Minutes:

G. DUVAL.¹

¹The original is in the *Papers of the Continental Congress, Maryland, Credentials of Delegates.*

Resolved, That the Board of Treasury be directed, in settling Brigadier General Armstrong's accounts, to allow him his charge for his travelling expences to and from South Carolina, the sum of £150 ||amounting to 400 dollars:||

A letter, of the 16, from General Washington, and one of the 17th, from Clement Biddle, were read.¹

The Board of War brought in a report, which was taken into consideration; Whereupon,

Resolved, That one hundred three pounders, fifty six pounders, fifty twelve pounders, thirteen eighteen pounders, and thirteen twenty four pounders, all of brass, be immediately provided as field artillery, for the use of the armies of the United States:

That the Secret Committee be directed to take the most effectual measures for procuring the said brass artillery; that the said Committee confer with the Committee for procuring Cannon, and consult with them how many they can provide:

That this matter be kept as secret as the nature of the business will admit.

Resolved, That 400 dollars be advanced to the delegates of North Carolina, for the use of that state, which is to be accountable.

Congress resumed the consideration of the report on the lottery; Whereupon,

Resolved, That each of the managers shall receive for his trouble one tenth per centum on all the money he shall receive in the sale of the tickets:

That the tickets or billets be sold for ready money:

That each of the managers give bond to the president,

¹The letter of Washington is in the *Papers of the Continental Congress*, No. 152, III, folio 261. It is printed in *Writings of Washington*, V, 33. That of Biddle is in No. 78, II, folio 109.

for the use of the United States, in the penalty of 20,000 dollars, for the faithful discharge of their trust.

Resolved, That a member be added to the committee appointed to hear the appeal against the sentence passed on the libel, John Barry, *qui tam vs.* the sloop *Betsey*, &c. in the room of Mr. [Edward] Rutledge.

The member chosen, Mr. [Samuel] Chase.

Congress being informed, there are two ensigncies vacant in the German batallion, proceeded to elect persons to fill up the same; and the ballots being taken,

George Howard and Jacob Laudermilk were elected.

The Committee of Treasury reported, that there ought to be advanced to Colonel James Livingston the sum of two thousand dollars, for which he is to be accountable to the commissioners ||for auditing the accounts|| of the northern department:

That there is due to Edward Rutledge, Esq^r for cash he paid by order of Congress, to Joseph Beck, an express to South Carolina, with despatches, intercepted with Kirkland, &c. the sum of 133 30/90 dollars; and for his, Dr. [Benjamin] Franklin, and Mr. [John] Adams, a committee to Staten Island, for their expences there and baek, 71 30/90 dollars; the whole amounting to 204 60/90 dollars:

To Joseph Baldwin, for ferriage of militia &c. over Neshaminy ferry, 6 54/90 dollars:

To Samuel Pugh, for victualling troops of the flying camp, on their march, 8 dollars:

To John Jarvis, for ferriage over Neshaminy, 12 21/90 dollars, and horse hire to different expresses, 10 36/90 dollars, amounting to 22 57/90 dollars:

That there should be paid to the Board of War, to be by them sent to Benjamin Harrison, Jun. Esq^r deputy pay

master general in Virginia, the sum of 300,000 dollars, for the use of the army in that department:

Ordered, That the said accounts be paid.

Congress resumed the consideration of the report of the Board of War of the 13th instant: Whereupon,

Resolved, That the commissary general, or his deputies, make regular weekly returns of all rations issued or paid to the officers and privates of any regiment, troop, or company in the service of the states, to the adjutant general or his deputies, to be by him inserted in the general returns of the army, and transmitted to Congress monthly:

That, on any sick or disabled non-commissioned officer or soldier, being sent to any hospital or sick quarters, the captain or commandant of the troop or company to which he belongs, shall send to the surgeon, or director of the said hospital, or give to the non-commissioned officer or soldier, so in the hospital or quarters, a certificate, (countersigned by the pay master of the regiment, if he be with the regiment,) of what pay is due to such sick non-commissioned officer or private, at the time of his entering the hospital or quarters; and the captain or commandant of the troop or company, shall not receive the pay of the said soldier in hospital or quarters, or include him in any pay abstract during his continuance therein. And, in case any non-commissioned officer or soldier shall be discharged from the hospital or quarters, as unfit for farther service, a certificate shall be given him, by the surgeon or director, of what pay is then due to him; and the said non-commissioned officer or soldier, so discharged, shall be entitled to receive his pay at any pay office, or from any pay master in the service of the United States; the said pay master keeping such original certificate, to prevent impositions,

and giving the non-commissioned officer or soldier his discharge, or a certified copy thereof, mentioning, at the same time, his having been paid :

That this resolution be transmitted to the commanders in chief of the several departments, to be by them given out in orders, and then delivered to the directors of the hospitals in each department, who are to cause the same to be fixed up in some conspicuous place or places, in every military hospital, for the information of all concerned :

That letters be immediately sent to the councils of safety, conventions, or legislatures of Pennsylvania, and the states to the southward thereof, desiring them, forthwith, to lay up magazines of military stores, ammunition, and salt provisions, in the safest and most convenient places in the said states, respectively, for the use of such continental troops and militia, as it may be necessary to bring into the field in the ensuing winter, for the defence of these states :

That some proper person be appointed to act in the capacity of an armourer to assist the commissary of stores in inspecting, superintending repairs, and taking care of all continental arms in the public magazines at Philadelphia.

Congress deem it necessary, upon every principle of propriety, to remind the several states, how indispensable it is to the common safety, that they pursue the most immediate and vigorous measures to furnish their respective quotas of troops for the new army, as the time of service, for which the present army was inlisted, is so near expiring, that the country may be left in a condition in a great measure defenceless, unless quickly supplied by new levies.

Resolved, That Major Stewart, who brought the late

intelligence from General Gates, and who is recommended as a deserving officer, have the rank of Lieutenant Colonel by brevet, and be presented with a sword of the value of one hundred dollars.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, NOVEMBER 20, 1776

Resolved, That 40,000 dollars be advanced to Mr. J. Mease, for the public service; he to be accountable.

The keeper of the public prison, having informed Congress, that he has discovered a plot among the prisoners to effect an escape, which one of them has effected; and that he has good reason to believe horses are purchased for them in Philadelphia, and kept ready for them, when they had broken out of prison; Whereupon,

Resolved, That the gaol keeper be directed to keep the prisoners in his custody close locked up till further orders:

That it be recommended to the council of safety ||of Pennsylvania,|| to examine Mr. Jewell, the gaol keeper, respecting this matter, and to take every measure in their power to find out the accomplices in the plot, if any there are.

A letter, of the 18, from Brigadier General Lord Stirling, ||was read.||

The Board of War, to whom were referred the memorials from Captain Lockwood and Captain Oswald, brought in their report, which was taken into consideration: Whereupon,

Resolved, That such parts of the said memorials as relate to their pay, be referred to the Board of Treasury.

A letter, of the 2d, from Daniel of St. Thomas Jenifer, President of the council of safety of Maryland, was read, and referred to the Board of War.¹

A letter, of the 6, from General Lee to Dr. [Benjamin] Franklin, which was brought to the Board of War, ||and by them opened,|| being laid before Congress and read:²

Ordered, That the Board of War prepare a letter to General Lee, and report the same to Congress.

Congress proceeded to the election of the managers of the lottery, when the ballots being taken, the following gentlemen were chosen, viz.

Sharp Dulany, John Purviance, Owen Biddle, Francis Lewis, Jun. Jacob Barge, Jonathan B. Smith, and James Searle.

Resolved, That a member be added to the Secret Committee, in the room of Mr. [Josiah] Bartlett, who is absent.

The member chosen, Mr. [William] Whipple.

Resolved, That the post master general be directed to remove ~~the post office from Bessonet, to some other house in Bristol,~~ [Penna] Bessonet, from the office of deputy post master, and appoint some other trusty person, in Bristol, to that office:

That the committee, appointed to enquire into the circumstances of the loss of the packet from General Washington, be directed to apply to the council of safety of Pennsylvania, to apprehend Bessonet,³ of Bristol, and his bar keeper, and keeping them apart, to bring them to Philadelphia, for examination; and that they have the assistance of the continental troops in Philadelphia, if necessary:

That the said committee write to the commanding

¹This letter is in the *Papers of the Continental Congress*, No. 70, folio 67.

²Introducing a French engineer, Mr. Imbert.

³Hancock spells the name Bissinett.

officer of the continental troops in New Jersey, to make diligent search for one Wilkins, who was at the tavern in Bristol when the packet was lost, and to send him, if found, under guard to Philadelphia.

Resolved, That the Board of War be empowered to administer oaths to persons examined by them.

The Committee of Treasury reported, that there is due, To Lieutenant Smith, for his expences with a party to escort money to Brunswick, and to Fort Montgomery, a balance of 19 19/90 dollars, the amount of his account being £20 14 1 [= 55 19/90 dollars,] of which he received from Robert Erwin, £12 [= 32 dollars,] and from R. Dallam, deputy pay master, £1 10 0 [= 4 dollars,] ballance is £7 4 1, equal to 19 19/90 dollars.

Ordered, That the same be paid.

The Board of Treasury reported farther instructions for the commissioners appointed to settle the accounts of the army, under the command of General Washington, which were agreed to as follows:

That in adjusting the accounts of persons, whose particular circumstances may have rendered them unable to procure vouchers, or who, by unavoidable accidents, have lost the same, or any part of the public stores committed to their care, the commissioners endeavour to obtain the best information from the general officers, or other persons relative to such accounts, and use a discretionary power in administering oaths or affirmations previous to their settling the same:

That the commissioners send to the state of Virginia, and to the states northward and eastward thereof, for their accounts against the said army, if such accounts should not be forwarded, agreeable to a circular letter from the ||Board of|| Treasury to the said states:

That the commissioners use every precaution to prevent

the loss of any public books or papers, that may be in their possession; and, for this purpose, that they apply to the quarter master general for a waggon and horses, to be under their direction:

That they consider the flying camp as part of General Washington's army, and adjust the accounts accordingly:

The Marine Committee to whom was referred the bringing in a plan for increasing the navy of the United States, brought in a report, which was taken in consideration; Whereupon,

Resolved, That there be immediately undertaken,

In New Hampshire,	1 ship of 74 guns,
In Massachusetts Bay,	1 ditto of 74 ditto, and
	1 ditto of 36 ditto,
In Pensylvania,	1 ditto of 74 ditto,
	1 brig of 18 guns and a
	packet-boat;
In Virginia,	2 frigates of 36 ditto, each;
In Maryland,	2 ditto of 36 ditto each.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, NOVEMBER 21, 1776

Resolved, That 250 dollars be advanced to Captain Gabriel Long, in the late Colonel Stevenson's batallion, for the purpose of recruiting his company; he to be accountable:

That Captain Long's accounts be referred to the Board of Treasury.

As the necessity of obtaining an army immediately, to oppose the designs of the enemy, is so evident and pressing as to render it proper to give all possible facility to that business;

Resolved, That each state be at liberty to direct their recruiting officers to enlist their men either for the war or three years, upon the respective bounties offered by Congress, without presenting inlisting rolls for both terms, according to a former resolution; keeping it always in view, that, in the opinion of Congress, the public service will be best promoted by inlistments for the war, if the recruiting business is not retarded thereby.

The Committee of Treasury reported, that there is due,

To Lieutenant Samuel Lockwood, for his pay as assistant engineer in the army in Canada, from the 5 November, 1775, to the 18 May, 1776, at 20 dollars per month, 128 60/90 dollars; from the 19 May, to 5 November, at 30 dollars per month, 167 dollars; the whole, 295 60/90 dollars:

To John Bates, for two fire hoods, shovel, tongs, &c. for the use of the treasury office, 16 36/90 dollars.

Ordered, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, NOVEMBER 22, 1776

A letter, of 20th, from General Mercer, was read:¹

Ordered, That an extract thereof be sent to the assembly and council of safety of Pennsylvania.

Congress being informed that a number of sick ||soldiers|| were sent to Philadelphia from the flying camp, and lodged in the barracks, and it being apprehended that their continuance in the barracks may endanger the health of the soldiers there,

Ordered, That the Medical Committee take charge of

¹ This letter is in the *Papers of the Continental Congress*, No. 159, folio 218.

the said sick, and have them quartered in private houses, and properly taken care of, and that they immediately attend to this business:

That Dr. Ludwig be directed to attend the said sick.

The committee to whom was referred the petition and memorial of Mrs. Zedwitz, brought in a report, which was taken into consideration: Whereupon,

Resolved, That Lieutenant Colonel Zedwitz be removed to Philadelphia, and confined in the state prison; and that due care be taken to prevent him from any intercourse or correspondence with the enemies of these states:

That the sum of 58 49/90 dollars be paid to Mrs. Zedwitz, in full for services done for the Continent, as set forth in her petition:

That the further sum of 80 dollars be paid to the said Mrs. Zedwitz, in full of two months' pay due to her husband.

Resolved, That 100,000 dollars be advanced to the council of safety of Pennsylvania; that state to be accountable.¹

Congress taking into consideration the present state of the army, of which some parts have already disbanded, and others will probably do so when the times they engaged to serve for, shall expire, which must soon happen; so that there is danger that the enemy must be opposed either by unequal numbers, or by militia, not only a more expensive but a less efficacious aid than regular forces; and there being good grounds to hope that vigorous efforts at this critical juncture, may bring the war to a speedy as well as happy conclusion:²

¹ The resolution of the Council of Safety calling for this sum, dated November 22, is in the *Papers of the Continental Congress*, No. 69, I, folio 263.

² In the *Papers of the Continental Congress*, No. 161, folio 4, is a single sheet in the writing of Charles Thomson giving notes of information obtained from General Mifflin, who had been sent to Philadelphia by Washington.

Resolved, That blank commissions be sent to General Washington, and that he be empowered to insert therein the names of such officers as he shall think fit, not revoking those appointments which have been made by commissioners from any of the United States; and the General, commissioners, and officers are conjured to recruit, by all the means in their power, the regiments now or lately in the camp; and that a committee of three be appointed to repair to head quarters, and, consulting with the General, assist in the accomplishment of this necessary business.

The members chosen, Mr. ~~Ramsey~~, [William] Paca, Mr. [John] Witherspoon, and Mr. [George] Ross.¹

Ordered, That the said committee make particular enquiry why the troops are not paid, and that they enquire into, and redress to the utmost in their power, the just grievances of the soldiers.

Resolved, That the sum of 166,666 $\frac{2}{3}$ dollars be advanced to the state of Massachusetts bay, in part of their account against the Continent; the said state to be accountable.

Ordered, That a copy of the resolutions respecting the lottery be delivered to the managers, and that the said managers proceed immediately in carrying the lottery into execution.

Congress took into consideration the report of the committee on the application from the convention of New York, respecting the waste of hides in the army: Whereupon,

Resolved, That the commissaries in each department, be directed to employ proper persons to take immediate charge of the hides and tallow in their respective districts; that the former may be tanned into leather, or, at

¹ They set out for the camp on the morning of the 25th.

least, so far cured as to prevent their being spoiled, and the latter rendered into kegs or casks, that there be no waste of those valuable articles, but that they may be stored for the use of the Continent, and be subject to the orders of Congress; and that the said commissaries be strongly urged to pay due attention to this resolve, it being a matter of considerable importance.

Resolved, That two months' pay be advanced to Dr. Ludwig, of the German batallion; he to be accountable.

A state of inconveniences to which the troops on the Eastern Shore of Virginia are particularly subject, was laid before Congress and read:¹

Ordered, That it be referred to the Board of War.

A letter, of the 16, from Joseph Trumbull, ||commissary general,|| was read, advising, that he has, on that day, drawn ~~a set of bills of exchange of that date payable~~ on the president, at four days' sight, in favour of Mr. Matthew Irwin, ~~to be by him invested in~~ for the sum of 20,000 dollars, to purchase pork and flour, and ~~account for the expenditure~~ desiring the said bills may be paid and charged to his, J. Trumbull's, account:²

Ordered, That the president pay the said bills, and order the money to be charged accordingly.³

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

¹ This statement is in the *Papers of the Continental Congress*, No. 71, I, folio 83.

² A letter of the 16th, from Jonathan Trumbull, Jun., transmitting a return of moneys passing through his hands, is in the *Papers of the Continental Congress*, No. 78, XXII, folio 202.

³ "On yesterday I procured a statement of our treasury as a few days ago: Emitted, 20,000,000 dollars; expended 16,817,737 dollars; in treasury, 3,182,263 dollars. This is for your private information and not to be made public." *Samuel Chase to Maryland Council of Safety*, 23 November, 1776.

SATURDAY, NOVEMBER 23, 1776

A letter, of the 19 and 21, from General Washington, ||was read:||¹

Resolved, That 500,000 dollars be sent to the pay master general:

That 250,000 dollars be sent to Richard Dallam, Esq^r.

Resolved, That a committee of five be appointed, with full powers, to devise and execute measures for effectually reinforcing General Washington, and obstructing the progress of General Howe's army; and they are ordered to proceed immediately on this business.

The members chosen, Mr. [James] Wilson, Mr. [James] Smith, Mr. [Samuel] Chase, Mr. [George] Clymer, and Mr. [Richard] Stockton.²

¹ This letter is in the *Papers of the Continental Congress*, No. 152, III, folio 265. It is printed in *Writings of Washington* (Ford), V, 41.

² This committee does not appear formally to have laid the results of its deliberations before the Congress; but they were issued by the Council of Safety of Philadelphia, in the form of a broadside. A copy is in the *Papers of the Continental Congress*, No. 69, 1, folio 265. The committee report is as follows:

“The Committee before mentioned have come to the following Resolutions—

“*Resolved*, That it be recommended to the Commanding Officers of the several battalions of Associators in Pennsylvania immediately to call together the battalions respectively under their command; and to select out of each battalion one company, or, if possible, two companies of Volunteers.

“That Each company consist of seventy-six privates, one Drummer, one Fifer, four Corporals, and four Serjeants, under the command of a Captain, two Lieutenants, and one Ensign.

“That the field officers of each battalion, or such of them as shall be present, with the approbation and concurrence of the Volunteers, appoint the commissioned and non-commissioned officers of each company.

“That the companies be engaged in the service of the United States till the tenth day of March next, unless sooner discharged by Congress; and be entitled to a pair of shoes and stockings, and to the same rations and the same monthly pay with the other troops on the Continental Establishment, to commence from the time of their enrolment.

“That the form of the enrolment be as follows: *I* *hereby promise and*
engage to enter into the service of the United States, and to serve them till the tenth day of

Resolved, That the Board of War be directed to order the battalion, on the Eastern Shore of Virginia, ||and the two Pennsylvania battalions,|| commanded by Colonel Mackay and Colonel Cooke, to march, with all possible expedition; the former to Philadelphia, and the two latter by the directest rout to Brunswick, in New Jersey, or to join General Washington ||wherever he may be;|| and the said Board is empowered to use every means to expedite their march; and they are ordered to attend immediately to this business.

In order the better to oppose the progress of General Howe's army,

March next, unless sooner discharged by Congress; and to observe and obey the orders of Congress, and the orders of the Generals and Officers set over me by them.

"That in order to supply the companies with arms, accoutrements, and other necessaries, the field officers of each battalion, or any of them, be empowered and directed to purchase, and, if they cannot purchase, to impress arms, cartouch-boxes, blankets, shoes, stockings, and other necessaries for the use of the said companies.

"That the articles impressed be appraised by persons to be appointed by the field officers or any of them for that purpose.

"That the field officers or any of them give certificates of the value of the articles so purchased or appraised, which certificates shall be deemed sufficient vouchers to the persons to whom they shall be given, or to their assigns, for the respective sums therein mentioned, and shall be paid at the Continental Treasury.

"That the Captains march their companies with the utmost expedition, and join the army under General Washington.

"That the Council of Safety of Pennsylvania be empowered and directed to form the said companies into battalions; and to adopt such farther measures as they may find necessary for the march and equipment of the said companies; and particularly to collect, in the city of Philadelphia and its neighbourhood, blankets and other necessaries for their use, and to seize such articles, paying the value of them, if they cannot otherwise be procured.

"That one month's pay be advanced to each Volunteer upon his enrolment; and that the Council of Safety be supplied with money for this purpose.

"That the Council of Safety be requested to forward by express the foregoing Resolutions to the Commanding Officers of the several battalions of the State of Pennsylvania.

"PHILADELPHIA,
November 24, 1776.

JAMES WILSON
GEORGE CLYMER
JAMES SMITH
SAMUEL CHASE."

See also *Colonial Records of Pennsylvania*, XI, 14.
The resolutions and report were printed in the *Pennsylvania Gazette*, 27 November, 1776.

Resolved, That General Washington be directed forthwith to order, under his immediate command, such of the forces, now in the northern department, as have been raised in the states of Pennsylvania and New Jersey, and that the commanding officer in the northern department, be directed to apply to the legislatures of the eastern states, to afford him such assistance as he may stand in need of.

That General Washington be directed to propose to General Howe, an exchange of William Franklin, Esq^r: late governor of New Jersey, for Brigadier General Thompson.

The Committee of Treasury reported, that there is due,

To the committee of Northampton county, and to be paid to Jesse Jones, for sundry supplies of provisions, waggons, &c. to the militia on their march to New Jersey, and for supplies to prisoners and continental troops, the sum of 1,337 54½/90 dollars:

To John Ashbe, for a waggon, horses, and a negro man, his property, lost in the service of the states at New York, the sum of 786 60/90 dollars.

To John Cox, for eight rifle guns, supplied by Edward Snicker, for the use of Captain Gabriel Long's company, of Virginia rifflemen, 146 60/90 dollars:

To Lieutenants Bogart and Ball, two prisoners of the British navy, and to be paid to James Smith, Esq^r: for their allowance, from 9 July, to 19 November, 1776, inclusive, 19 weeks, at 2 dollars a week, 76 dollars:

To Brigadier General Armstrong, for his pay and rations, from 1 March, to 23 November, instant, inclusive, his travelling expences to and from South Carolina, 1,781 63/90 dollars:

To Dr. David Jameson, for sundry medicines and

attendance to sick soldiers of Captain Grier's company, and Captain Nelson's companies, in the continental service, the sum of 290 24/90 dollars:

To Colonel Jeremiah Dugan, for sundry supplies to the army in Canada, for which he has now produced a voucher, the want of which prevented the same being reported the 19 August last, the sum of 484 73/90 dollars:

To the Board of War, for Richard Dallam, Esq^r deputy pay master general, his draft, dated New Brunswick, the 21 instant, in favour of Colonel Clement Biddle, deputy quarter master general, the sum of ten thousand dollars:

That there should be paid to Richard Bache, Esq^r post master general, as an advance, for the use of the post office, 2,666 60/90 dollars:

Ordered, That the same be paid.

Resolved, That by any thing heretofore done, it is not intended to prejudice or strengthen the right or claim of the United States, or any of them, to any lands in America, nor to determine in what proportion or manner the expences of the war shall be raised or adjusted, except as to the first three millions of dollars emitted by Congress, and a farther emission of three millions of dollars, on December 26, 1775.¹

Resolved, That 20,000 dollars be advanced to the commissioners appointed by the convention of Maryland, to raise their quota of troops; they to be accountable.

||The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.||

¹ "In my last I expressed some hopes of prevailing on Congress to give our State some satisfaction as to the back lands, and the mode by which the proportion of the expences of the war was to be paid by each State. In this expectation I was delayed and disappointed for two days, by Mr. Jenifer's mentioning that our Commissioners had your orders to proceed. By an obstinate perseverance the enclosed resolution was obtained last Saturday." *Samuel Chase to Maryland Council of Safety*, 26 November, 1776.

MONDAY, NOVEMBER 25, 1776

A letter, of the 23, from General Washington, at Newark, was read:¹

Ordered, That it be referred to a committee of the whole ||Congress||; and that General Mifflin, who brought the letter, be desired to attend the said committee.

Congress then resolved itself into a committee of the whole; and, after some time, the president resumed the chair, and Mr. [Thomas] Nelson reported, that the committee have had a conference with Brigadier General Mifflin, and have considered the letter referred to them; and, thereupon, came to sundry resolutions, which he was ordered to report; but, that not having come to a conclusion, desired leave to sit again.

The resolutions come into by the committee ||of the whole||, being read, were agreed to as follows:

Resolved, That the council of safety of Pennsylvania be requested immediately, to call forth, all the associators in the city of Philadelphia, and its liberties, and in the counties of Philadelphia, Chester, Bucks, and Northampton, to continue in the service of the United States, six weeks from the time they join the army, unless sooner discharged by Congress:

That the volunteers who shall enrol to serve the United States till the tenth day of March next, shall, nevertheless, be discharged as soon as the situation of public affairs will possibly admit of it; it being the intention of Congress to detain them no longer than the present emergency shall render it absolutely necessary:

Resolved, That 35,000 dollars be advanced to the council of safety of Pennsylvania, for the public service; the said state to be accountable:

¹ This letter is in the *Papers of the Continental Congress*, No. 152, III, folio 269.

That 4,000 dollars be advanced to Colonel Hausegger, for the use of his batallion; he to be accountable:

That the Board of War be directed to order the German batallion to march immediately, and join General Washington:

That the said Board write to Governor Henry, of Virginia, and request him to order the light horse, in the service of that state, to march, with all possible expedition, to join General Washington:

That the said Board order Brigadier General Roche de Fermoy, to repair immediately to General Washington, instead of going to the northward.

Resolved, That General Mifflin be directed to stay in the city of Philadelphia until General Washington shall require his attendance at the camp, and that General Washington be informed of this by the President.

Resolved, That this Congress will, to Morrow, resolve itself into a committee of the whole, to take into consideration the state of the army.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, NOVEMBER 26, 1776

A letter of the 8, from George Morgan, at Pittsburg, and one, of the 21, from the council of safety of Maryland, were read.

Resolved, That 1,000 dollars be advanced to R[obert] Erwin, waggon master general, for the public service; he to be accountable.

Congress being informed that some persons in this city ||of Philadelphia||, governed by principles inimical to the cause of America, and with views of avarice and extor-

tion, have monopolized and engrossed shoes, stockings, and other necessaries for the army, whilst the soldiers of the Continent, fighting for the liberties of their country, are exposed to the injuries of the weather, at this inclement season :

Resolved, That it be recommended to the assembly of the state of Pennsylvania, to adopt such immediate measures for remedying this evil, as their wisdom shall suggest to be adequate to the present purpose, and for preventing like pernicious practices in future.

The Board of War having brought in a report, the same was taken into consideration ; Whereupon,

Resolved, That a regiment of artillery, to be armed with musquets and bayonets, instead of fusees, be raised in the state of Virginia, on continental establishment; the two companies, already raised there, to be part of the said regiment; which is to be composed of one colonel, one lieutenant colonel, one major, and ten companies, each to consist of one captain three lieutenants, one serjeant, four bombardiers, eight gunners, four corporals, and forty eight matrosses.

Resolved, That 1,150 dollars be paid to Gerard William Beekman or order, and charged to the account of Richard Dallam, deputy pay master general, the same being in full of a draught of said R. Dallam on R. Peters, Esq^r secretary of the Board of War, in favour of the said Gerard William Beekman, dated New Brunswick, November 15th, 1776.

Mr. [Francis] Lewis, [Jun.] having informed Congress that he cannot, consistent with his private engagements, undertake to be a manager of the lottery, and desiring he may be excused ||from that service,||

Resolved, That he be excused, and that another be appointed in his room :

The ballots being taken, David Jackson was elected.

Ordered, That the committee, who brought in the scheme of the lottery, confer with the managers thereof, in order that they may proceed on that business.

Congress resolved itself into a committee of the whole, to take into consideration the state of the army; and, after some time spent thereon, the president resumed the chair, and Mr. [Thomas] Nelson reported, that the committee have had under consideration the matter to them referred, and have come to sundry resolutions, which he was ordered to submit to Congress.

The report of the committee being read, was agreed to ||as follows||: Whereupon,

Resolved, That the Cannon Committee be directed to enquire what quantity of cannon are on board the prize ship that arrived yesterday in the port of Philadelphia; and, if they are fit for field artillery, to take measures to have them mounted on proper carriages, and sent to General Washington:

That the assembly of the state of Pennsylvania be requested to give immediate direction, that the brass pieces, with the artillery companies, (or the field pieces singly, if there be no such companies) belonging to this state, be, with all possible expedition, sent to General Washington's army in New Jersey, and that they be assured, that, as soon as the situation of our affairs will admit of it, they shall be returned, or others in lieu of them:

That Mr. Mease, the continental commissary in the city of Philadelphia, be directed to go to the several shops and stores in the said city, and purchase, for the use of the army of the United States, such articles as are necessary for them, at this and the approaching season of the year; and that he be empowered to employ as many per-

sons as he shall judge necessary to assist him in this service:

That the council of safety of Pennsylvania be requested, with all possible expedition, to cause application to be made to the house keepers and others in the said state, for as many blankets and woollen stockings as each can spare, for the use of the soldiers under the immediate command of General Washington, in New Jersies; and that they be delivered, as fast as collected, to Mr. J. Mease, the continental commissary:

That it be recommended to the said council of safety, to appoint persons to appraise the blankets and woollen stockings, so collected, as aforesaid, that the value of them may be paid:

That the committee, who are sent to the camp, be directed to make particular enquiry into the abuses in the medical department in the army, and report thereon to Congress.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, NOVEMBER 27, 1776

A memorial from Thomas Deneff was read¹ and referred to the Board of War.

The Board of War brought in a report, which was taken into consideration: Whereupon,

Resolved, That Congress appoint the officers of the artillery batallion, agreed to be raised in Virginia.

A petition and memorial from John Sergeant was read:²

Ordered, That it be referred to the committee on the

¹This memorial is in the *Papers of the Continental Congress*, No. 41, 11, folio 408.

²This petition is in the *Papers of the Continental Congress*, No. 41, IX, folio 9. Sergeant was missionary to the Mohekunnuk tribe of Indians at Stockbridge.

letter from Thomas Cushing, Esq^r and that the report ||on that subject|| by them made, be re-committed.

The committee to whom the letter from Thomas Cushing, Esquire, was referred, have examined the matter thereof, and come to the following resolutions thereupon; viz.

Resolved, that it is the opinion of this committee, that Mr. Samuel Kirkland and Mr. Aaron Crosby, whom the commissioners at Boston, appointed by the society for propagating the gospel among the indians, had employed as missionaries for that purpose, the former at Oneida, and the other at Onaquaughe, be continued in their offices one year from the expiration of that for which they are now engaged; and that each of them be allowed a salary of four hundred and sixteen dollars and two thirds of a dollar, equal to one hundred pounds sterling, to be reimbursed by the said commissioners when they shall receive money sufficient from the said society.

Resolved, that it is the opinion of this committee, that the United States ought not to contribute to the support of a missionary to the Mobecon indians, of whom some reside at Stockbridge in the state of Massachusetts bay, and others at several places in the state of New York.¹

Resolved, That the delegates from the four New England governments be directed to take the most effectual measures to have, at least, 10,000 pair of shoes, and 10,000 pair of stockings, purchased in those states, and sent forward to General Washington's head quarters, with all possible expedition, for the use of the soldiers under his command.

That a committee of three be appointed to procure a translation into the German language of the late treaty between the Courts of London and Hesse, for troops to be employed in America. That the said committee be fully authorised to pursue means the most effectual in their judgment, for communicating to the Hessians the said treaties and for accomplishing the views of Congress in their resolves of the 14 and 27th of August last.

¹This report, in the writing of George Wythe, is in the *Papers of the Continental Congress*, No. 19, I, folio 615. The date of the presentation of the report is not given, but was some time after October 28.

The members chosen Mr. [James] Wilson, Mr. R[ichard] H[enry] Lee and Mr. S[amuel] Adams.¹

Ordered, That the Secret Committee take proper and effectual measures to procure a quantity of hard money, not less than 20,000 dollars, to be lodged in the hands of the commander in chief, for the purpose of secret services.

The committee who were appointed, in conjunction with the council of safety of this state ||Pennsylvania,|| to examine Mr. Bessonet and his bar keeper, having reported, that, after the most diligent enquiry, they find nothing proved against Mr. Bessonet, and that the council of safety and said committee are of opinion he ought to be discharged; Whereupon,

Resolved, That the said committee inform the council of safety of this state, that Congress have no objection to their discharging Mr. Bessonet.

The committee appointed to repair to the northern army, having returned, made a report, which was read:

Resolved, That the same, together with the papers accompanying it, be referred to a committee of five, and that the said be directed to sit from day to day, and report as soon as possible to Congress:

The members chosen, Mr. S[amuel] Adams, Mr. [George] Clymer, Mr. [Philip] Livingston, Mr. [George] Wythe, and Mr. [Benjamin] Harrison.

Resolved, That the sum of 2,500 dollars be paid to Mr. Abraham Livingston, and charged to the account of Jonathan Trumbull, Jun. deputy pay master general, the same being in full of his draught in favour of said A. Livingston, dated Albany, 14 November, 1776.

An appeal having been lodged against the sentence passed in the court of admiralty for the state of Virginia,

¹See note under August 27, *ante*.

on the libel, "Levin Joynes, *qui tam* vs. the sloop *Vulcan*:"

Resolved, That the hearing and determining the said appeal, be referred to Mr. [George] Wythe, Mr. [Robert Treat] Paine, Mr. [James] Wilson, Mr. [William] Hooper, and Mr. [Samuel] Chase.

Resolved, That three members be added to the committee appointed to revise the resolutions relative to captures:

The members chosen, Mr. [James] Wilson, Mr. [William] Hooper, and Mr. [Samuel] Chase.

Resolved, That it be recommended to the legislatures of the United States, respectively, to pass such laws, as will, most effectually tend to prevent the counterfeiting or forging the tickets of the public lottery.

Ordered, That the Board of War, in conjunction with a member of the council of safety ||of Pennsylvania,|| seize the person and papers of ||Monsieur|| Bonvoulour; and, having examined him and them, report to Congress.

Resolved, That the Board of War be directed to detain such of the companies of the German batallion as have not already marched.

A letter from Messrs. [George] Ross, [William] Paca, and [John] Witherspoon was read, informing, that they have appointed an assistant quarter master and commissary, to provide for a number of sick, and to take care of stores sent to Princeton.

Resolved, That the president inform them, Congress approve their appointments.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, NOVEMBER 28, 1776

Resolved, That 300 dollars be advanced to William Whitely, lieutenant colonel of Colonel Richardson's battallion of the flying camp, from Maryland, for the use of some sick of his regiment, in Philadelphia, for which he is to be accountable.

Resolved, That ~~there being a vacancy in a company of Colonel Stephenson's battallion, Congress proceeded to fill up the same, when~~ William Bradford, second lieutenant in Captain Smith's company of Colonel Stephenson's battallion, be promoted to the rank of first lieutenant in the room of the first lieutenant, resigned.

A plan of an artillery yard being laid before Congress,

That an artillery yard, with proper Cover to exercise under in bad weather be immediately erected at .

That a Master or Director of such Yard be appointed:

That proper persons be employed well skilled in the management of Artillery:

That they be empowered to enlist into the continental service as many able bodied men as shall be willing to inlist into the artillery service:

That the men be constantly exercised at the guns in the Artillery Yard as bombardiers and gunners:

That the most expert be from time to time draughted and sent to the army:

That no man be promoted to any office in the Artillery service until he has given proofs and specimens of his Abilities in the said Yard:

That Novices on their first inlistment to learn the Artillery service shall be allowed Soldiers pay:

That so soon as the Master shall report to the Board of War that any of the said Novices are qualified for the respective duties of Matrosses, Gunners or Bombardiers, they shall thereupon be advanced to the pay of such Characters respectively.¹

¹ This report, in the writing of Charles Thomson, with amendments by Richard Henry Lee, is in the *Papers of the Continental Congress*, No. 21, folio 39. The last two paragraphs are in Lee's writing.

Resolved, That it be referred to a committee of three:

The members chosen, Mr. R[ichard] H[enry] Lee, Mr. [Robert Treat] Paine, ~~Mr. Pendleton~~, and Mr. [Arthur] Middleton.

Resolved, That the sum of 533 1/3 dollars be advanced to Colonel L. Cadwallader, for the use of the men belonging to his batallion in Philadelphia; he to be accountable:

That a like sum of 533 1/3 dollars be advanced to Lieutenant Colonel Penrose, for the use of the men belonging to Colonel Magaw's batallion; he to be accountable.

The committee to whom was referred the report of the committee lately sent to the northern army, brought in a report, which was taken into consideration; Whereupon,

Resolved, That a letter be sent to Governor Trumbull, desiring him to order twenty cannon, carrying shot of eighteen pounds weight, to be cast at Salisbury iron works, and transported to Ticonderoga, with all possible expedition:

That skilful persons be sent to examine the Salisbury and Mr. Livingston's founderies; and, if it be found that a sufficient number of cannon may be cast there, that proper artificers be forthwith employed in that work, an agreement being first made with Governor Trumbull and Mr. Livingston for that purpose:

That the commissary general be directed to procure provisions sufficient for five thousand men, during eight months, to be sent to Albany, and from thence to Fort Anne, and the like quantity to remain in Albany, and be removed elsewhere, as occasion may require; and that the commissary general be directed to send to Albany, a sufficient quantity of salt to cure the said provisions:

Resolved, That it is the opinion of this Committee that one thousand good blankets, and five hundred flock matrasses and pillows be pur-

chased or otherwise procured, and sent to Albany for the use of the hospital in the northern army.¹

That General Schnyler be informed of the cannon ordered from Salisbury to Ticonderoga, and directed to have carriages provided for them:

Resolved, That the committee have leave to sit again.

A letter, of the 19, from General Schnyler at Saratoga, was read.²

Resolved, That the commissary general be empowered to import such quantities of rice from the southern states, as he shall think necessary for the use of the army.

The Medical Committee, to whom Dr. Shippen's letter was referred, brought in a report, which was taken into consideration; Whereupon,

Resolved, That Dr. Morgan take care of such sick and wounded of the army of the United States, as are on the east side of Hudson's river, and that Dr. Shippen take care of such of the said sick and wounded as are on the west side of Hudson's river; and that they both be directed to use the utmost diligence in superintending the surgeons and mates of the army, so that the sick and wounded may be effectually provided with everything necessary for their recovery.

Resolved, That 100,000 dollars be advanced to the delegates of South Carolina; the said state to be accountable.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

¹The report is in the *Papers of the Continental Congress*, No. 21, folio 37. The first three paragraphs are in the writing of George Wythe, and the last paragraph in that of Samuel Adams. This last paragraph was postponed.

²This letter is in the *Papers of the Continental Congress*, No. 153, II, folio 493.

FRIDAY, NOVEMBER 29, 1776

A letter, of _____, from S. Purviance;

One without date from John Connolly, and a petition from J. Sullivan, were read:

Ordered, That the petition from J. Sullivan be referred to a committee of three, and that they be directed to enquire, minutely, into the facts relative to the capitulations entered into by Major Sherbourne and Major Butterfield, in Canada; that they be empowered to send for persons and papers, and examine witnesses upon oath, and report to Congress:

The members chosen, Mr. [Samuel] Chase, Mr. [Benjamin] Harrison, and Mr. [George] Wythe.

Resolved, That Mr. Mease be directed to supply the sick soldiers, in the House of Employment in Philadelphia, with one shirt apiece.

A petition from Major John Lamb was read:¹ Whereupon,

Resolved, That the General be directed to include Major Lamb in the next exchange of prisoners.

The committee on the affairs of the northern army, brought in a farther report, which was taken into consideration: Whereupon,

Resolved, That the Medical Committee be directed to provide sufficient quantities of antiscorbutics for the use of the hospitals in the northern army:

That the hospital at Fort George be continued for the reception of soldiers labouring with contagious diseases, and that there be a general hospital erected on Mount Independence:

That a suitable spot of ground for a garden be enclosed

¹This petition, dated November 19, 1776, is in the *Papers of the Continental Congress*, No. 42, 1V, folio 100.

in the neighbourhood of the general hospital, to supply the army with vegetables; and that labourers be hired to cultivate it, under the direction of an overseer, to be appointed by the general or commanding officer:

That the general, or commanding officer, in each of the armies, cause strict enquiries to be made into the¹ conduct of the directors of the hospitals, and their surgeons, officers, and servants, and of the regimental surgeons, that if there has been any just grounds of complaint in those departments, the offenders may be punished:

That the colonel or commanding officer of every regiment, make frequent enquiry into the health of the men under his command, and report the state thereof, with any negligence, mal-practice, or other misconduct of the surgeons or others, to the general, and to Congress, delivering copies of such reports to all persons therein accused:

That the general, or commander in chief of the northern army, direct all the batteaus on lakes Champlain and George to be immediately repaired:

That 100 batteaus be built at Schenectady, so as to be ready for use² in February or March next, at farthest; and, for this purpose, that boards, pitch, oakum, and other necessary materials, be collected,³ and artificers employed, by the general or commanding officer:⁴

Resolved, That the committee have leave to sit again.

The Committee of Treasury reported, that there is due, To P. E. du Simitière, for designing, making, and drawing a medal for General Washington, 32 dollars:

To John Dunlap, for printing sundry resolves of Congress, commissions, proclamations, &c. 654 66/90 dollars:

¹ The original report here contained "past as well as future."

² The original report here inserted "on the lakes."

³ The original report here inserted "at Fort George, Fort Ann, Skeensborough and Schenectady."

⁴ The original, in the writing of George Wythe, is in the *Papers of the Continental Congress*, No. 21, folio 13.

To John Bates, for camp kettles delivered to Robert Towers, commissary, 80 dollars:

To Joseph Grenvold, for portorage of powder, to the magazine, 37 $\frac{45}{90}$ dollars:

To James Anderson, for ferriage of Virginia troops, waggons, and militia, over Susquehanna, 27 $\frac{18}{90}$ dollars:

To the estate of Captain Spring, for storage of continental powder, 111 $\frac{38}{90}$ dollars:

To the following prisoners from Canada, and to be paid to Mr. Ross, the sum of 229 $\frac{77}{90}$ dollars: viz.

To Captain Thomson, expences of himself and baggage from Albany to Trenton, 11 $\frac{55}{90}$ dollars, [and] his allowance from 26 April to 28 November, inclusive, 31 weeks, at 2 dollars a week, 62 dollars:

To Alexander M'Culloeh, expences of himself and baggage from Albany to Trenton, 10 $\frac{35}{90}$ dollars, [and] his allowance from 26 April to 28 November, inclusive, 31 weeks, at 2 dollars, 62 dollars: [And,]

To William Goodwin, his expences of family and baggage, from Albany to Burlington, 14 $\frac{27}{90}$ dollars, [and] his allowance from 27 March to 27 November, inclusive, 35 weeks, at 2 dollars, 70 dollars:

That there is due to John House, for his account of ferriage of troops, waggons, and horses over the river Potowmack, 30 $\frac{30}{90}$ dollars:

Ordered, That the said accounts be paid.

Resolved, That the Secret Committee be directed to provide, as soon as may be, arms and equipage for 3,000 horse.

Resolved, That a committee of five be appointed to consider and report a proper method for establishing and training a cavalry in this continent:

The members chosen, Mr. R[ichard] H[enry] Lee, Mr. [Robert Treat] Paine, Mr. [Arthur] Middleton, Mr. [Thomas] Nelson, and Mr. [William] Floyd.

A petition from Alexander Mercer was read, and referred to the Board of Treasury.

The committee appointed to confer with the managers of the lottery, brought in a report, which was taken into consideration: Whereupon,

Resolved, That the prizes only be drawn:

That the managers be authorized to employ as many clerks to assist in numbering the tickets, as may be necessary for expediting the business:

That two presses be employed for printing the tickets:

Resolved, That the remainder of the report be re-committed.

Resolved, That to Morrow be assigned for appointing the officers of the regiment of artillery ordered to be raised in Virginia.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, NOVEMBER 30, 1776

A letter, of the 27, from General Washington, with a list of prisoners taken by the enemy during the campaign of 1776.¹ Also, a letter of the 27, from the council of safety of New York, were read:

Ordered, That the same be referred to the Board of War, and that they be directed to confer with Colonel Miles, who is come from New York on his parole, to expedite the exchange of prisoners.

Resolved, That 1,000 dollars be advanced to Robert Erwin, waggon master general, for the public service; he to be accountable.

¹ This letter is in the *Papers of the Continental Congress*, No. 152, III, folio 275.

Resolved, That the council of safety of Pennsylvania be requested to have eight carriages for field pieces got ready, with all possible expedition, at the expence of the continent, to be delivered as fast as made, to the order of the Board of War.

The commisssioners for Indian affairs, in the middle department, having transmitted to Congress the minutes of their proceedings,

Ordered, That the same be referred to the standing committee for Indian affairs.

The committee appointed to confer with the managers of the lottery, brought in a farther report, which was taken into consideration; Whereupon,

Resolved, That the gratuity to the managers of the lottery, for their tronble in the conduct of that business, be left to the future judgment of Congress:

That the managers be authorized to appoint agents for the sale of tickets in the several states, and offer them 1/10 per cent. on the tickets or billets by each respectively sold:

That the public be at the risk of conveying the tickets or billets to the agents in the different states:

That the agents pay the money received by them for the sale of tickets or billets into the receipts of the commissioners of the loan office of the state where they are sold, taking receipts therefor, and transmit them to the managers of the lottery at Philadelphia.

Resolved, That the state of New York be empowered to raise another batallion on the continental establishment:

That the convention or council of safety of New York be empowered to appoint an aid major to each of the batallions raised by that state, the pay or expence of which to be borne by that state.

Agreeable to the order of the day, Congress proceeded to the election of officers for the artillery batallion, ordered to be raised in Virginia; and, the ballots being taken,

Charles Harrison, was elected colonel; Edward Carrington, lieutenant colonel; Christien Holmer, major; Samuel Denny, William Pierce, Nathaniel Burwell, Bul-ler Clairborne, Joseph Scott, William Murray, Spotswood Dandridge, Matthew Smith, Sir John Pettus, and William Waters, captains.

Resolved, That it be recommended to the governor and council of Virginia to recommend proper persons for subaltern officers.

Resolved, That the Board of War be directed to purchase, for the public service, six waggons, with four horses each and proper harness, and to employ suitable drivers.

An address from Nicholas Biddle, John Barry, Thomas Read, Charles Alexander, and John Nicholson, was laid before Congress, and read:

Ordered, That it be referred to the Marine Committee, who are directed to pursue such measures as they think proper in consequence thereof.

The assembly of Pensylvania having, by Mr. [Robert] Morris, informed Congress, that they have appointed a committee of their body to confer with a committee of Congress, on the requisition of Congress, immediately to call forth associators of the city and liberties of Philadelphia, and of the counties of Philadelphia, Bucks, Chester, and Northampton:

Ordered, That the Board of War be a committee to confer ||with the committee of the assembly of Pennsylvania|| on this subject, and agree on such measures as shall be deemed most for the public service.

The Committee of Treasury reported, that there is due, To Styner & Cist, for paper and printing minutes of Congress, &c. and his trouble and expences in attending the making the paper for the loan office notes, 130 15/90 dollars.

To Lieutenant Peacock, a prisoner of the 7th regiment, for his allowance from 20 December, 1775, to 28 November, 1776, being 48 weeks, at 2 dollars, 96 dollars:

To Dr. William Currie, for his bill of medicines and provisions to sick soldiers of Colonels Scott and Lawson's Virginia regiments, 67 37/90 dollars:

That there should be advanced to Major John Lamb, for the payment of the men of his artillery company, 2,000 dollars; he to be accountable:

Ordered, That the said accounts be paid.||

Resolved, That the Committee of Intelligence be directed and empowered to establish expresses, to go daily to and from head quarters.

Resolved, That when any resolutions are passed which respect the United States, or any of them, or to the armies of the said states, they be sent, by express, if the regular post is interrupted or not ready, provided the president shall judge it necessary.

A petition from John Noble Taylor, was read:¹

Ordered, That it be referred to the Board of War.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

Congress, on a summons, met

¹This petition, dated Bermuda, November 1, 1776, is in the *Papers of the Continental Congress*, No. 41, X, folio 1.

SUNDAY, DECEMBER 1, 1776

Two letters, of the 30th, from General Washington, at Brunswick, were read;¹

Resolved, That the Board of War be directed to order the German battallion to march immediately to join General Washington, and that the said Board use every measure in their power to expedite their march with all possible despatch:

Resolved, That the council of safety of Pennsylvania be requested to take effectual measures for supplying guards for the public stores, &c. in the room of the German battallion:

That the Secret Committee be directed to appoint one or more trusty persons, to proceed immediately to the eastern states, and see that the cloathing and stores, which have been ordered to be purchased for the army, be collected and forwarded to the army, with all possible despatch; and that the said person, or persons, have power to purchase, or cause to be purchased, such necessary cloathing as can be procured in those states, and to have them forwarded to the army:

That General Washington be informed, he has the full approbation of Congress to order the troops, on the east side of Hudson's river, over to the west side of that river, whenever he shall think it conducive for the public service so to do:

That General Washington be directed to order the cloaths, which have been, or shall be sent to head quarters, or to any of the camps, to be distributed, first among such of the soldiers as stand most in need of them:

¹ These letters are in the *Papers of the Continental Congress*, No. 152, III, folios 279, 283. They are printed in *Writings of Washington* (Ford), V, 54, 58.

That Mr. J. Mease be directed to purchase all the hats and caps he can procure, proper for soldiers, and to employ as great a number of tailors as possible in making up cloaths for soldiers; and forward those articles, from time to time, as fast as ready, to General Washington:

That the Medical Committee be directed to take such steps, as they shall judge proper, for the accommodation of the sick of the army.

Adjourned to 10 o'Clock to Morrow.

MONDAY, DECEMBER 2, 1776

Resolved, That 800 dollars be advanced to Colonel L. Cadwallader, for the use of the men belonging to his battalion; he to be accountable:

That 800 dollars be advanced to Captain Doyle, for the use of his independent company; he to be accountable:

That 500 dollars be advanced to Robert Jewell, for which he is to be accountable:

That 5,333 $\frac{1}{3}$ dollars be advanced to the commissioners for Indian affairs in the middle department.

A letter, of the 1 December, from General Washington, was read,¹ and referred to the Board of War, who are directed to communicate the contents to the council of safety of Pennsylvania, and to take such measures, in consequence thereof, as they shall judge proper.

Captain Montgomery having offered his service, with that of his crew, as an artillery company, to the Continent,

Resolved, That they be taken into the service of the Continent for 2 months, unless sooner discharged.

That James Montgomery be appointed captain; Samuel Carson captain lieutenant, John Douglass, lieutenant, of said company:

¹This letter is in the *Papers of the Continental Congress*, No. 152, 111, folio 287.

That Mr. J. Mease be directed to advance one month's pay to Captain Montgomery's men, upon their enlistment, and that a like advance be made to the other companies of artillery:

Resolved, That the Marine Committee be empowered to advance 20 dollars to each seaman who will enter to serve on board the *Randolph*, Captain Biddle, the same to be deducted out of their share of the prize money.

Resolved, That the Board of War be directed to give orders for ten or twelve covered wagons for the artillery; to be immediately purchased.

That the Board of War be directed to give order and to take measures for removing by water to Christiana ||bridge||, the 2,000 barrels of beef, now under the care of Commissary Wharton.

Resolved, That the council of safety of Pennsylvania be requested to send off expresses immediately to those counties who have been desired to send forth their associators, urging them forthwith to march them out, to oppose the hasty advances of the enemy.

Resolved, That it be recommended to the governor and council of the commonwealth of Virginia, to take the most effectual measures for purchasing and collecting, for continental use, all the copper and other materials fit for casting brass field artillery, that can be got in that state, and that Congress will defray the cost and expence of the same.

Resolved, That 100 dollars be advanced to the delegates of Virginia, for the use of the deputy pay master general in Virginia.

A letter, of the 1, from General Washington, half after 7 P. M. was read.¹

¹ This letter is in the *Papers of the Continental Congress*, No. 152, 111, folio 291. It is printed in *Writings of Washington* (Ford), V, 62.

Mr. [George] Read, a delegate from Delaware attended, and produced the credentials of the appointment and power of the delegates of that state, which were read as follows:

DELAWARE

IN COUNCIL, *November 8th, 1776*

Whereas George Read, John Dickinson, and John Evans, Esquires, have been chosen by joint ballot of both Houses of Assembly to represent the Delaware State in the Continental Congress:

Resolved, That they, or any one or more of them, are hereby fully authorized and empowered, for and in behalf of this State, to concert, agree to, and execute every measure, which they or he, together with a Majority of the Continental Congress, shall judge necessary, for the defence, Security, Interest, and Welfare of this State in particular, and of America in general; with power to adjourn to such times and places as shall appear most conducive to the publick Safety and advantage.

Sent for concurrence.

In Assembly, November 9th, 1776. Read and concurred in:

JOHN M'KINLEY, *Speaker*.

A true Copy:

SLATOR CLAY, *Clerk of the Council*.²

Resolved, That the Committee for establishing expresses be directed to send Colonel Stewart, or any other officer express to General Lee, to know where and in what situation he and the army with him are.

Resolved, That it be recommended to the council of safety of Pennsylvania to send immediately one of their gallies along the Jersey shore, between this and Trenton, to bring over all the river craft, vessels, and boats from the Jerseys to the Pennsylvania side of Delaware, in order to prevent their becoming serviceable to the enemy, in their attempts to cross said river:

¹The original is in the *Papers of the Continental Congress, Delaware, Credentials of Delegates*.

That it be earnestly recommended to the council of safety of Pennsylvania, to order the batallions of this city immediately to march and join General Washington :

That the said council of safety be requested to furnish the waggon master general with one thousand waggons for the use of the army ; and, as in the present emergency of public affairs, such supply of waggons is absolutely necessary, that it be recommended to the said council of safety to impress the waggons, if they cannot be otherwise speedily procured.

Adjourned to 6 o'Clock.

||EODEM DIE,|| 6 o'Clock P. M.

Resolved, That Mr. James Mease be directed to receive from Mr. Hyman Levy the goods in his hands purchased for the state of New York, paying him the ballance due for the said goods, and that Mr. Mease be directed to send the said goods, together with those he has now ready, to General Washington, taking especial care that they be sent in so safe and secure a manner as to avoid any danger of falling into the hands of the enemy.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, DECEMBER 3, 1776

A letter, of the 2d, from General Washington ; one, of the 2d, from Adjutant General Reed, and one from Mr. J. Mease, were read :¹

Resolved, That 50,000 dollars be advanced to J. Mease, for the public service ; he to be accountable :

¹ This letter of Washington is in the *Papers of the Continental Congress*, No. 152, III, folio 295. It is printed in *Writings of Washington* (Ford), V, 63. That of Reed is in No. 78, XIX, folio 67.

That 2,000 dollars be advanced to Lieutenant Colonel Edward Antil, for the purpose of recruiting his regiment; he to be accountable:

That 14,800 dollars be advanced to Major Charles Symmes, for the use of the 12th Virginia batallion; he to be accountable.

Mr. [Abraham] Clark, a delegate from the state of New Jersey, attended, and produced the credentials of his appointment, which were read as follows:

NEW JERSEY

At a Joint Meeting of the Council and Assembly of the State of New Jersey, held at Burlington, on the 30th Day of November, 1776.

The Honourable Nathaniel Seudder in the Chair.

The joint Meeting proceeded by Ballot to the Election of five Delegates to represent this State in Congress, to serve for one Year, unless a new Appointment shall be made before the Expiration of that Time; and the following Persons were duly elected, viz.: The Honourable Richard Stockton, Jonathan Dickinson Sergeant, Esq^r, Dr. John Witherspoon, Abraham Clark, Esq^r, Jonathan Elmer, Esq^r:

Resolved, That any one or more of the said Delegates, who shall attend in Congress, be fully empowered to represent, and vote in Behalf of this State.

Resolved, That the said Delegates, or such of them as have not already taken the Oaths of Abjuration and Allegiance mentioned in the Act of Assembly lately passed, intituled "An Act for the Security of the Government of New Jersey," do take the said Oaths before they take their Seats in Congress.

Signed by Order of the Council and Assembly of the State of New Jersey:

CHARLES PETTIT, *Secretary*.¹

Resolved, That the Board of War be directed to have the prisoners, now at Bristol, removed from thence back into the country.

¹The original is in the *Papers of the Continental Congress, New Jersey, Credentials of Delegates*.

Resolved, That Mrs. Chamier be permitted to go to her husband at New York, to be exchanged for Mrs. Lewis, at Flushing, on Long Island.

Resolved, That Mr. Mease be empowered and directed to settle with and pay the militia of the Maryland flying camp.

That the commissary of provisions in Philadelphia supply with rations, in lieu of mileage, such of the Maryland troops as chuse to go home:

That such of the non-commissioned officers and soldiers of the said troops as will enlist for three years, be immediately clothed; and that Mr. Mease be directed to detain as many of the cloaths, in his hands, as will be necessary for this purpose:

That each of the non-commissioned officers and soldiers of the Maryland militia, who will not enlist for three years, but will engage to march to the immediate reinforcement of General Washington, and remain under his command one month, be supplied by Mr. Mease with a shirt, a pair of shoes, and a pair of stockings, on paying for the same:

That such of the militia as shall engage to serve to the 10th of March next, unless sooner discharged by Congress, be entitled to a pair of shoes and stockings, and to the same rations and the same monthly pay with the other troops on the continental establishment, to commence from the time of their enrolment; and that one months' pay be advanced to each volunteer, upon his enrolment.

Resolved, That to Morrow be assigned for giving the Indians in town an audience; and that the committee for Indian affairs be directed to prepare a proper speech to be delivered to them.

That the officers of the Maryland troops be requested immediately to parade those troops, and to use their ut-

most influence to persuade their adoption of the terms proposed by Congress.

Resolved, That General Washington be directed, in case he has not entered into a negotiation with General Howe, for exchanging Governor Franklin for General Thompson, to suspend the execution of that matter till farther orders.¹

A petition from William Dod was read, praying for leave to visit his brother, who is confined in prison:

Resolved, That the petitioner have leave to visit and converse with his brother in the presence of the gaoler.

Resolved, That Thursday next be assigned for taking into consideration the state of the Treasury.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

WEDNESDAY, DECEMBER 4, 1776

A letter, of the 3d, from General Washington, was read.²

Resolved, That it be recommended to the council of safety of Pennsylvania, to detain ||from marching with the militia,|| the printers engaged in printing certificates for the continental loan offices, and to direct them to continue executing the business in which they are employed.

~~Resolved, That there be paid to Thomas Parsons, of Colonel Irwins regiment, Captain Rippey's company, for his pay from the 8th May, 1776, to the 8th November, 40 dollars.~~

¹ "The Congress apprehending that in the present state of the Army, and situation of our affairs, an exchange of Governor Franklin might be prejudicial and attended with some bad consequences, have been induced to come to the above resolution." *John Hancock to Washington*, 4 December, 1776.

² This letter is in the *Papers of the Continental Congress*, No. 152, 111, folio 303. It is printed in *Writings of Washington* (Ford), V, 64.

~~To John King and John Blackburn of the 2d Pennsylvania battalion, Captain Bayard's company, their~~

The Committee of Treasury reported, that they have had under consideration the accounts of John Harvie, John Montgomery, and Jasper Yates, Esqrs. commissioners for Indian affairs for the middle department; that the said commissioners have produced accounts of the expenditure of five thousand forty nine pounds and seven pence half penny, [=13,464.7 dollars,] for the charges and expences of the late treaty, held with the Indians, at Pittsburg, for their allowance for their time and expences attending the said treaty. That in this account, are included the expence of goods purchased by Mr. Morgan for private presents; expences and pay to Mr. Wilson, Mr. Long, and Mr. Girty on different messages; for kettles, rations, and linen, supplied the continental batallion at Kittanning; expences of Mr. Morgan coming to Philadelphia, and going to New York with two Indian chiefs, and returning with them to Pittsburg; his going to the Indian towns to invite them to a treaty; sundry sums paid to the militia officers, and the several accounts due from the department to this time, except the militia accounts yet unsettled, and the salaries due to Mr. Morgan and the former agent, also £300 0 2 [=800.2 dollars] due to sundry persons before their appointment, whose accounts were settled by a committee of Congress for Indian affairs. The balance due to George Morgan, Esq^r is £77 18 8 [=207.74 dollars,] first deducting 150 pounds [=400 dollars] paid him by Congress, 21 September last, for which he is debited:

They credit the sums of 1,125 pounds [=3,000 dollars,] received of Congress, in August, and 2,000 pounds [=5,333.30 dollars] the second instant; also two pounds [=5.30 dollars] for the freight of a still to Redstone;

two sums, amounting to £25 6 3 [=67.45 dollars,] which are twice charged in the accounts:

That the ballance due to the commissioners is £1,896 14 4¹/₂, being 5,057 dollars and 82¹/₂/90 of a dollar:

Ordered, That the said accounts be paid.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, DECEMBER 5, 1776

A letter, of the 4, from General Washington, enclosing a copy of a letter from Major Clark, of the 29 November, was read.¹

Resolved,|| That Mr. J. Mease be directed to pay to each captain of the Maryland troops of the flying camp, who cannot produce pay rolls, such a sum as they think will be equal to the arrears due to their respective companies; taking a receipt from the respective captains for the monies advanced.

Resolved, That two months' pay be advanced to M. Romand de Lisle, and to M. Kosciuszko.

The Indians being introduced, delivered a speech; and Saturday next was appointed to return them an answer.

Resolved, That it be and is earnestly recommended to the council of safety of Pennsylvania, to procure the Pennsylvania hospital, for the purpose of accommodating the sick belonging to the continental army.

Resolved, That the Medical Committee be empowered to procure suitable persons to take care of the sick, and to remove them to such convenient places in the country, as they shall think proper.

Some prisoners being sent under guard from New

¹This letter is in the *Papers of the Continental Congress*, No. 152, 111, folio 311.

Jersey ||to Philadelphia,|| who are charged with inlisting men for General Howe, or inlisted in that service,

Resolved, That they be sent under guard to Frederic, in Maryland, there to be safely confined; and that, until they can be sent away, they be confined in the state prison in Philadelphia.

Resolved, That Captain Ottendorf be directed to raise an independent company, to be composed of 150 privates, serjeants and corporals included:

That it be divided as follows:

The first company of 60 men, light infantry, one captain and two lieutenants; two companies of hunters, 45 privates each, to be commanded each by a captain and two lieutenants:

That Captain Ottendorf have the rank of major, that he be captain of the light infantry company, and command the whole.

That an adjutant be appointed for this corps, who is to act as quarter master and pay master, with the rank of lieutenant, and pay of other adjutants.

Resolved, That the Board of War be empowered to send for Isaac Corren, of the artillery.¹

Resolved, That 150 dollars be advanced to Gunning Bedford, muster master general; he to be accountable.

Resolved, That the time for commencing the drawing of the lottery be altered to the 10 April.

Resolved, That this Congress will, to Morrow morning, previous to any other business, resolve itself into a committee of the whole, to take into consideration the state of the treasury, the ways and means of raising supplies for the ensuing year, and supporting the credit of the continental currency.

¹ In the corrected Journal this paragraph reads: "That the Board of War write to the general and desire him to send Isaac Corren of the artillery to Philadelphia."

||The several matters to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.

FRIDAY, DECEMBER 6, 1776

A letter, of the 5, from General Washington, and one, of the 27 of November, from General Gates, at Albany, with a paper enclosed, sent from the commanding officer at St. John's, were read.¹

||Agreeable to the order of the day,|| Congress then resolved itself into a committee of the whole, to take into consideration the state of the treasury, the ways and means of raising supplies for the ensuing year, and, supporting the credit of the continental currency; and after some time, the president resumed the chair, and Mr. [Thomas] Nelson reported, that the committee have had under consideration the matters to them referred, and have come to sundry resolutions; but not having perfected the business, desire leave to sit again.

Resolved, That this Congress will, to Morrow, again resolve itself into a committee of the whole, to take into consideration the state of the treasury, &c. ||the ways and means of raising supplies for the ensuing year, and supporting the credit of the continental currency.||

Resolved, That 50,000 dollars be advanced to J. Mease for the public service; he to be accountable.

Upon representation made by Daniel and Samuel Hughes, that Melchior Salady, a private soldier in Captain Farmer's company and Colonel Miles's batallion, would be very serviceable to them in executing their contract for making cannon for Congress:

¹ Washington's letter is in the *Papers of the Continental Congress*, No. 152, III, folio 317. It is printed in *Writings of Washington* (Ford), V, 66. That of Gates is in No. 154, I, folio 121.

Resolved, That Melchior Salady be discharged, by the proper officer, from the company, provided he enter into the service of the said Hughes.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, DECEMBER 7, 1776

A letter, of the 6th, from General Washington, at Trenton, and, of the 21 to 25 November, from General Schuyler, at Saratoga, with sundry papers enclosed, ||were read:|| and referred to the Board of War.¹

Resolved, That the Board of War be empowered and directed to exchange such of the Canadians as they think proper.

Resolved, That the president write to the four New England governments, and request them to use their utmost influence in raising their respective quotas of troops, and to hasten their march, with all possible diligence, to the places appointed for their rendezvous, by General Schuyler.

Resolved, That 100,000 dollars be advanced to the council of safety of Pennsylvania, to be applied towards furnishing the several officers with bounty money for inlisting men on the new establishment; the said council to be accountable.²

That Captain Biddle be empowered to inlist into the continental service, such of the sailors in prison as he shall think proper.

¹ Washington's letter is in the *Papers of the Continental Congress*, No. 152, 111, 323. It is printed in *Writings of Washington* (Ford), V, 69. That of Schuyler is in No. 153, II, folio 501.

²The resolution of the Council of Safety, making application for this amount, dated December 7, is in the *Papers of the Continental Congress*, No. 69, I, folio 271.

The Committee of Treasury reported, that there is due, and to be paid to the order of Allen M'Donald, Sen. Allen M'Donald, Jun. Alexander M'Donald, Rennel M'Donald, and Archibald M'Donald, hostages sent by General Schuyler to Reading, for the allowance due to themselves and their three servants, from 25 September to the 10 December, inclusive, 143 dollars:

That there should be advanced to Thomas Smith, for supplies to the troops of the 5th and 6th Virginia regiments, left sick at Wilmington, the sum of 677 25/90 dollars:

That there is due to Lieutenant Colonel Jacob Boyer, for furnishing his batallion of militia with 7,495 rations of provisions, on their march from Berks county to the camp in New Jersey, 739 45/90 dollars:

To Thomas Edwards, for victualling the 2d batallion of militia, of Lancaster county, commanded by Colonel Curtis Grubb, on their march to Bergen, in New Jersey, and for the hire of two baggage waggons, the sum of 1,319 61/90 dollars, to be paid to Philip Marsteller:

Ordered, That the said accounts be paid.

Resolved, That 1,000 dollars be advanced to the committee for procuring cannon for the public service; the said committee to account for the expenditure.

Resolved, That for the more speedy and effectual discharge of business, the following rules be invariably observed:

That Congress be opened every morning at 10 o'Clock, Sundays excepted:

That Mr. President take the chair precisely at that time.

Agreeable to the order of the day, the Indians were introduced, and the following speech was delivered to them:

BROTHERS OF THE SIX NATIONS, DELAWARES AND SHAWANESE,

We, the delegates of the thirteen United States of America, are extremely pleased to see you. We take you by the hand, and bid you welcome to our great council fire.

BROTHERS,

You say that God Almighty has been pleased to bring us together. You say well. He superintends and governs men and their actions. He now sees us. He judges of the sincerity of our hearts, and will punish those who deceive.

BROTHERS, SACHEMS AND WARRIORS,

You have heard what our commissioners have said to you at Pittsburg, by our directions. You have listened to their arguments; and your own reason will suggest, that the conduct they have recommended to you, must be productive of your happiness and welfare. We think that you must be fully convinced that your safety, as nations, depends on preserving peace and friendship with the white people of this island.

We are sorry to hear of the death of your great men, and are well pleased that our commissioners have wiped the tears from your eyes, and covered the graves of our departed friends.

Our hearts are good towards all the Indians in the woods, who have friendly dispositions towards us.

We love peace, and wish that the chain of friendship between us and you may contract no rust. On our part, we will do every thing to keep it bright and strong.

But should we be attacked by any tribe of Indians in the woods, we hope to convince them that we can repel their attempts with ease. Friendship, however, with you, is what we earnestly desire. Our commissioners have told you so, and they have not deceived you.

We now inform you, that we wish to sit down with you under the same tree of peace; to water its roots and cherish its growth, so that it may shelter us and you, and our and your children.

BROTHERS,

We have prepared some presents for you, which our commissioners will deliver before your departure.

The Indians, having returned thanks for the speech delivered, informed Congress that they had something to say on Monday next, ||and withdrew.||

Resolved, That the council of safety of Pennsylvania be desired to suspend the farther execution of the request made to them on the 2d, to procure one thousand waggons:

That the waggons procured, in consequence of the said request, be sent to the quarter master general.

Resolved, That Mr. Mease be directed to return to Mr. Levy, the goods he had from him, receiving back the money advanced on that account: the said goods being sent for by the state of New York, for whose account, ||and by whose order,|| they were purchased.

The Committee of Treasury reported, that there is due,

To Brigadier General Thompson, for his pay for the months of October and November, 250 dollars:

To Lieutenant Ross Currie, of the second batallion of Pennsylvania regular forces, for the ballance of his pay from March to November, inclusive, [£33 15 equal to] 90 dollars:

To Samuel M'Kenzie, surgeon to the 2d batallion of Pennsylvania regular forces, for 4 months' pay, at 33 dollars per month, 132 dollars.¹

Ordered, That the said accounts be paid.

The several matters to this day referred, being postponed,²

Adjourned to 10 o'Clock on Monday.

MONDAY, DECEMBER 9, 1776

A letter, of the 8, from General Washington; one, of the 22d November, from General Ward, enclosing one of the 9th of the same month, from General Gates; one of the 18 ||of the same month,|| from G. Morgan, at Pitts-

¹ This report is in the *Papers of the Continental Congress*, No. 136, I, folio 5.

² A letter from Governor Trumbull, dated November 30, was read this day. It is in the *Papers of the Continental Congress*, No. 66, I, folio 239.

burg; and a petition and remonstrance from the captains and subalterns of Colonel Mackay's batallion; and a letter, of the 17th November, from Lieutenant Colonel Wilson, of the said batallion; and a letter from John Avery, of Boston, 22d November, were read:¹

Also, a letter of the 25 November, from Colonel Moses Hazen, was read, and referred to the committee on the northern army.²

Resolved, That another member be added to the said committee:

The member chosen, Mr. R[ichard] H[enry] Lee.

The Indians, being introduced, spoke to Congress, but having said nothing relative to matters between them and the United States, no notice was taken of it, and they withdrew.

Resolved, That the sum of £43 18 5 [=117.11 dollars] be paid to Colonel Haussegger, in full of his account for boards, &c. bought for the public service, and for his expences.

Resolved, That 1,000 dollars be advanced to Major Ottendorff, for the purpose of recruiting his companies; he to be accountable.

Resolved, That Honelmann Arnold be appointed a lieutenant of the company commanded by Major Ottendorf:

That 2,000 dollars be advanced to the delegates of New Jersey, for the public service; they to be accountable:³

That 50,000 dollars be advanced to Mr. J. Mease, for the public service; he to be accountable.

That Mr. Risberg, the assistant quarter master in Philadelphia, be directed to send by water to Christiana

¹The letter of Washington is in the *Papers of the Continental Congress*, No. 152, III, folio 327. It is printed in *Writings of Washington* (Ford), V, 71. The letter of Avery is in No. 65, I, folio 147.

²Hazen's letter is in No. 78, XI, folio 105.

³In margin is written "Countermanded, February 27, 1777."

bridge, the military stores sent from the army, there to be secured till farther orders.

That 5,000 dollars be advanced to Carpenter Wharton for the public service; he to be accountable.

Resolved, That the council of safety of Pennsylvania be requested to give the continental officers, and all others, employed in removing the public stores from this city, whether by land or water, all the assistance in their power.

Resolved, That a committee of three be appointed to prepare an address to the inhabitants of America, and a recommendation to the several states, to appoint a day of fasting, humiliation, and prayer:

The members, Mr. [John] Witherspoon, Mr. R[ichard] H[enry] Lee, and Mr. [Samuel] Adams.

Resolved, That Mr. J. Mease be empowered and directed to settle with and pay the arrears due to Colonel Hay's battallion of the flying camp.

Resolved, That Thomas De Naif be appointed a lieutenant of artillery under M. Romand de Lisle.

Resolved, That a committee of three be appointed to enquire into the state of the prisoners sent from New Jersey.

The members chosen, Dr. [John] Witherspoon, Mr. [Abraham] Clark, and Mr. F[rancis] L[ightfoot] Lee.

Whereas, in consequence of many complaints that engrossers had distressed the public, by raising salt to an exorbitant price, the council of safety of Pennsylvania, with the approbation of Congress, took the management of the affair into their hands, and have endeavoured, by as just and equal a distribution as possible of the salt imported from time to time, to supply the different parts of the country; yet, it is found upon trial, either from the artful conduct of interested persons not discovered,

or from the impossibility of the thing itself, that the remedy has been ineffectual; and, on the contrary, salt continues scarcer and dearer in this port, than where no regulation has been tried: Therefore,

Resolved, That it be recommended to the council of safety of Pennsylvania, to take off all restraint upon the sale of salt; and give public notice, that it shall be lawful for any person to import and sell it, in such manner, and at such price, as he shall find voluntary purchasers.

Resolved, That 200 dollars be advanced to Mr. William Govett, assistant to the auditor general; he to be accountable.

Resolved, That in case this Congress shall be under the necessity of removing from Philadelphia, it shall be adjourned to Baltimore.

Whereas, General Washington hath repeatedly applied, and yesterday has renewed, his application, for an immediate reinforcement for the defence of this city and State;

Resolved, That the council of safety be requested, this day, to send expresses, that may be relied on, to the several counties in Pennsylvania, earnestly requesting that they march what troops they can collect, armed and provided in the best manner possible, to the army under the command of General Washington.

Resolved, That Mr. J. Mease be directed to furnish Captain Henderson's company, of the 11th Pennsylvania batallion, with blankets and stockings.

Resolved, That expresses be immediately sent to the committees of the counties of Cecil, Baltimore, Harford, and Frederic, in Maryland, requesting that they apply, without delay, to the militia of their respective counties, to send forward, as fast as possible, for the defence of this city, and the reinforcement of General Washington's army, as many troops as possible, informing the said

committees that some assistance, in the way of arms, may be furnished here, to provide such as have no arms to bring with them:

That an express be sent to the council of safety of Delaware, requesting them to send forward, as fast as possible, for the defence of this city, and the reinforcement of General Washington, as many troops as possible, informing the said council that some assistance in the way of arms may be furnished here, to provide such as have no arms to bring with them.

Resolved, That the Board of War be directed to take care of the arms belonging to the Continent, and have them properly secured.

Resolved, That William Chambers be appointed captain, Alexander Wilson, first lieutenant, Adam Hoops, second lieutenant, in the 3d batallion of the regiment commanded by Colonel Moses Hazen.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, DECEMBER 10, 1776

A letter, of the 8, from General Lee, at Morristown. One, of the 9, from General Washington, with a letter, of the 6, from General Heath, were read.¹

Resolved, That the prisoners sent from the state of New Jersey by General Washington, and ordered to Frederick town, Maryland, be conveyed there by Captain Mountjoy Baily, with a guard of 18 soldiers:

That the privates [of said guard] be furnished with arms, cartridges, knapsacks, and blankets; and

¹ Washington's letter is in the *Papers of the Continental Congress*, No. 152, 111, folio 331. It is printed in *Writings of Washington* (Ford), V, 72.

That 1,000 dollars be advanced to the committee of the middle district of Frederic county, to defray the charges of conveying the prisoners there, and the expence of furnishing rations to the prisoners and the guard; the said committee to be accountable.

Resolved, That General Mifflin be directed to repair immediately to the neighbouring counties, and, by all the means in his power, rouse and bring them in, to the defence of Philadelphia.

As the Congress deem it of great importance to the general good and safety, that General Mifflin should make a progress through the several countries in this state ||of Pennsylvania,|| to rouse the freemen thereof, to the immediate defence of this city and country,

Resolved, That the assembly be requested to appoint a committee of their body to make the said tour with General Mifflin, in order to assist him in this good and necessary work.

Resolved, That the president return to Congress the 25,000 of dollars received for the use of the Marine Committee.

Resolved, That Major General Putnam be directed to have the several recruits, and other continental troops in this city, immediately paraded, and that he proceed, without delay, to make the proper defences for the protection and security of this city:

That the council of safety of Pennsylvania be requested to give Major General Putnam all the assistance in their power, for the execution of the above necessary business, by calling forth the inhabitants, and by any other means in their judgment proper.

Resolved, That 2,000 dollars be advanced to the delegates of Georgia, for the use of that state, which is to be accountable.

Resolved, That 135 1/3 dollars be paid to Robert Patton, for his services as messenger, from the 15 May to the 4th December, instant.

The committee appointed to prepare an address to the inhabitants of America, brought in a draught, which was read; and, being debated by paragraphs, was agreed to.

Ordered, That the said committee have it published and dispersed.

The Representatives of the United States of America in Congress assembled, to the People in general, and particularly to the Inhabitants of Pennsylvania and the adjacent States.

FRIENDS AND BRETHERN:

We think it our duty to address a few words of exhortation to you in this important crisis. You are not unacquainted with the history of the rise and progress of this war. A plan was carried on by the British Ministry for several years in a systematick manner to enslave you to that kingdom. After various attempts in an artful and insidious manner to bring into practice the laying you under tribute, they at last openly and decisively asserted their rights of making laws to bind you in all cases whatsoever.

Opposition was made to these encroachments by earnest and humble petitions from every Legislature on the Continent, and more than once by the Congress representing the whole. These were treated with the utmost contempt. Acts of the most unjust and oppressive nature were passed and carried into execution, such as exempting the soldiers charged with murder in America from a legal trial, and ordering them to be carried to Britain for certain absolution, as also directing prisoners taken at sea to be entered on board their ships, and obliged either to kill their own friends or fall themselves by their hands. We only mention these from among the many oppressive acts of Parliament, as proofs to what horrid injustice the love of dominion will sometimes carry societies as well as men. At the same time to show how insensible they will be to the sufferings of others, you may see, by the preambles to the acts and addresses to the King, that they constantly extol their own lenity in those very proceedings which fill this whole Continent with resentment and horreur.

To crown the whole, they have waged war with us in the most cruel and unrelenting manner, employing not only the force of the British

nation, but hiring foreign mercenaries, who, without feeling, indulge themselves in rapine and bloodshed. The spirit indeed of the Army in general is but too well determined, by their inhuman treatment of those who have unhappily fallen into their hands.

It is well known to you, that at the universal desire of the people, and with the hearty approbation of every Province, the Congress declared the United States free and independent, a measure not only just, but which had become absolutely necessary. It would have been impossible to have resisted the formidable force destined against us last spring, while we confessed ourselves the subjects of that State against which we had taken arms. Besides, after repeated trials, no terms could be obtained, but pardon upon absolute submission, which every publick body in America had rejected with disdain.

Resistance has now been made with a spirit and resolution becoming a free people, and with a degree of success hitherto which could scarce have been expected. The enemy have been expelled from the Northern Provinces where they at first had possession, and have been repulsed in their attempt upon the Southern by the undaunted valour of the inhabitants. Our success at sea, in the capture of the enemy's ships, has been astonishing. They have been compelled to retreat before the Northern Army. Notwithstanding the difficulty and uncertainty at first of our being supplied with ammunition and military stores, those we have now in abundance, and by some late arrivals and captures there is an immediate prospect of sufficient clothing for the Army.

What we have particularly in view in this address is not only to promote unanimity and vigour through the whole States, but to excite the inhabitants of Pennsylvania, New Jersey, and the adjacent States, to an immediate and spirited exertion in opposition to the Army that now threatens to take possession of this city. You know that during the whole campaign they have been checked in their progress, and have not till within these two weeks ventured above ten miles from their shipping. Their present advances are owing not to any capital defeat, or a want of valour in the Army that opposed them, but to a sudden diminution of its numbers from the expiration of those short enlistments which, to ease the people, were at first adopted. Many have already joined the Army to supply the deficiency, and we call, in the most earnest manner, on all the friends of liberty to exert themselves without delay in this pressing emergency. In every other part your arms have been successful, and in other respects our sacred cause is in the most promising situation. We think it proper to inform and

assure you that essential services have been already rendered us by foreign States, and we have received the most positive assurances of further aid. Let us not, then, be wanting to ourselves. Even a short resistance will probably be effectual, as General Lee is advancing with a strong reinforcement, and his troops in high spirits. What a pity is it, then, that the rich and populous city of Philadelphia should fall into the enemy's hands, or that we should not lay hold of the opportunity of destroying their principal Army, now removed from the ships of war, in which their greatest strength lies.

It is certainly needless to multiply arguments in such a situation. All that is valuable to us as men and freemen is at stake. It does not admit of a question what would be the effect of our finally failing. Even the boasted Commissioners for giving peace to America have not offered, and do not now offer, any terms but pardon on absolute submission. And though (blessed be God) even the loss of Philadelphia would not be the loss of the cause, yet while it can be saved, let us not, in the close of the campaign, afford them such ground of triumph; but give a check to their progress, and convince our friends in the distant parts that one spirit animates the whole.

Confiding in your fidelity and zeal in a contest the most illustrious and important, and firmly trusting in the good providence of God, we wish you happiness and success.

Given at Philadelphia, December 10, 1776.

By order of the Congress:

JOHN HANCOCK, *President*.¹

The Committee of Treasury reported, that there should be advanced to Mrs. Stevenson the sum of 200 dollars on account of her husband, James Stevenson, one of the commissioners of accounts; he to be accountable:²

Ordered, That the same be paid.

Resolved, That the president write to General Washington, and desire him to send a party to watch the roads leading from New Jersey to Philadelphia, above Trenton, and give Congress the earliest notice of the enemy's motions.

¹This address is not entered in the manuscript journals, and has been taken from Force, *American Archives*, Fifth Series, III, 1149.

²This report is in the *Papers of the Continental Congress*, No. 136, 1, folio 7.

The Committee of Treasury reported, that there is due to John Montgomery and J[asper] Yeates, commissioners of Indian affairs for the middle department, for their account of debts due to sundry persons on the visit of the Indian chiefs from Pittsburg to Congress, the sum of [£441 17=] 1,178 24/90 dollars:

To the Rev. Mr. Fowler, ||Indian|| missionary, being a ballance due to him for his services at the treaty with the Indians at Pittsburg, 36 dollars:

To John Gibson, Esq^r for 8 months' house rent for the treasury office, as auditor general, to the 9th instant, wood for the use of the office, &c. &c. the sum of [£138 12 7 equal to] 369 61/90 dollars:

To St. Luke la Corne, Captain Frazier, and Major Campbell, for the allowance for themselves and 3 servants, from 24th September to 3d December, 90 dollars; the same to be paid to Colonel Donald Campbell:²

Ordered, That the said accounts be paid.

Resolved, That 2,000 dollars be advanced to Lieutenant Colonel Antil, for the purpose of recruiting the battallion commanded by Colonel [Moses] Hazen; he to be accountable.

Resolved, That two of the continental batallions, now raising in Connecticut, be stationed for the defence of the said state in such parts thereof as Governor Trumbull shall judge most conducive for that purpose, till this Congress shall order otherwise.

Resolved, That the treasurer pay, upon the order of the government of Connecticut, out of the first monies which shall be received into the loan office in that state, forty thousand dollars; the said state to be accountable for the expenditure thereof.

Resolved, That Antoine Seelin be appointed a captain

¹ This report is in the *Papers of the Continental Congress*, No. 136, 1, folio 7.

of a riddle company in the corps commanded by Major Ottendorf

~~Resolved, That General Putnam be directed to order parties of active spirited men, with proper guides, to cross from this city into Jersey, and under the conduct of good officers to act as harassing parties, and to get the~~

||The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.||

WEDNESDAY, DECEMBER 11, 1776

The committee appointed to prepare a resolution for appointing a day of fasting and humiliation, brought in a report, which was read and agreed to, as follows:

Whereas, the war in which the United States are engaged with Great Britain, has not only been prolonged, but is likely to be carried to the greatest extremity; and whereas, it becomes all public bodies, as well as private persons, to reverence the Providence of God, and look up to him as the supreme disposer of all events, and the arbiter of the fate of nations; therefore,

Resolved, That it be recommended to all the United States, as soon as possible, to appoint a day of solemn fasting and humiliation; to implore of Almighty God the forgiveness of the many sins prevailing among all ranks, and to beg the countenance and assistance of his Providence in the prosecution of the present just and necessary war.

The Congress do also, in the most earnest manner, recommend to all the members of the United States, and particularly the officers civil and military under them, the exercise of repentance and reformation; and further, require of them the strict observation of the articles of war, and particularly, that part of the said articles, which forbids profane swearing, and all immorality, of which all such officers are desired to take notice.

It is left to each state to issue out proclamations fixing the days that appear most proper within their several bounds.

Ordered, That the above be published by the committee who brought in the report.

A letter, of the 10th December, 1776, from General Washington, at Head quarters, falls of Delaware, ||was read.||¹

~~Whereas a false and malicious report hath been spread by the enemies of America that the Congress was about to disperse:~~

~~Resolved, That General Washington be desired to contradict the said scandalous report in general orders, this Congress having a better opinion of the spirit and vigour of the army and the good people of these states than to suppose it can be necessary to disperse. Nor will they adjourn from the city of Philadelphia in the present state of affairs, unless the last necessity shall direct it.~~

The committee appointed to examine the prisoners sent from New Jersey, reported, that they have performed that service, and find some considerable distinction between them; Whereupon,

Resolved, That the committee appointed to examine the Jersey prisoners be empowered to discharge from gaol such of them as do not appear to have been engaged in measures against the United States of America; the said prisoners first signing a declaration, that they will not hereafter engage in such measures, or give the enemies of America aid, information, counsel, or assistance, in any way or manner whatsoever; and that such as the said committee judge proper, give security not to depart the city of Philadelphia without leave of this Congress.

Resolved, That General Putnam be directed to order parties of active, spirited men, with proper guides, to cross from this city into Jersey; and, under the conduct of good officers, to act as harassing parties, and get the

¹This letter is in the *Papers of the Continental Congress*, No. 152, III, folio 335.

best intelligence of the motions and situation of the enemy, directing them to send frequent daily intelligence thro' him to Congress, of the discoveries they be able to make of the enemies movements and situation.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

THURSDAY, DECEMBER 12, 1776

A letter, of the 11, from General Washington, was read, and referred to the Board of War.¹

Resolved, That 20,000 dollars be advanced to Gustavus Risberg, and charged to the account of Richard Dallam.

That 50,000 dollars be advanced to the council of safety of Pennsylvania, for the public service; the said council to be accountable:

That 5,000 dollars be advanced to Dr. Nicholas Way, ||of Wilmington,|| for the public service; he to be accountable.

Resolved, That the two companys raised in the town of Westmoreland, be ordered to march with all possible expedition and join General Washington.

Resolved, That the continental apothecary be directed immediately to pack up all the continental medicines, and send them to the quarter master general:

That the quarter master general be directed to remove all the medicines belonging to the continent in this city to a place of security:

That the frigate *Randolph* and the sloop *Hornet* be directed to act in such manner as the continental general commanding here may direct, for the defence of this city, in preventing the enemy from passing the Delaware.

¹This letter is in the *Papers of the Continental Congress*, No. 152, III, folio 339. It is printed in *Writings of Washington* (Ford) V, 80.

Resolved, That 53 1/3 dollars be advanced to Mr. Sproat, clerk at the war office, for his service; he to be accountable.

Mr. [George] Walton, a delegate from Georgia, attended, and produced a letter from the secretary of the convention ||of that state,|| informing him of his appointment, with others, to represent that state for the year ensuing:

Resolved, That he be admitted to a seat.

Resolved, That Elisha Sheldon be appointed lieutenant colonel commandant of a regiment of cavalry on the continental establishment, with the rank and pay of a colonel of foot; and that General Washington be authorized to appoint the other officers to said regiment; and that the colonel, with his officers, proceed, without delay, to raise and discipline the said regiment; and that they repair to and join the army under General Washington's command, by companies, as soon as each company shall be compleat:

That the General be empowered to advance to Colonel Sheldon such sums of money as may be necessary for the service.

Resolved, That the Marine Committee be directed to employ one or more fast sailing vessels, to proceed on a cruise immediately off the Capes of Delaware, to give notice to all ships or vessels inward bound of the state of this port, in order that they may proceed to some other place or places of safety.

Resolved, That General Putnam be directed to send John Connolly under guard to Baltimore, Maryland, there to be confined.

That General Putnam, or the commanding officer in Philadelphia, be desired to appoint suitable persons to make proper provision of combustibles, for burning such

of the frigates and other continental vessels as may be in imminent danger of falling into the enemies' possession should this city come into their hands.

But when it shall happen that the General has no further occasion for the use of the frigate *Randolph*, for the defence of this city, if the same should fall into the enemies hands, should Captain Biddle in that case carry the said frigate safely to sea, and thereby save her from falling into the enemies' hands, this Congress will reward him and his people with a present of 10,000 dollars.

Resolved, That the continental general commanding in Philadelphia, be directed to defend the same to the utmost extremity, against the attempts of the enemy to get possession of it; and that, for this end, he apply, from time to time, to the council of safety of Pennsylvania for their aid and assistance.

Resolved, That Mr. [Robert] Morris be empowered to borrow a sum, not exceeding 10,000 dollars, for the use of the Marine Committee; and Congress will indemnify him.

Resolved, That Timothy Dod be released from confinement.

Resolved, That the arms, ammunition, and cloathing, in or near the city of Philadelphia, be put under the direction of General Putnam; and that Mr. J. Mease, Mr. Towers, and all other persons having continental stores in care, make immediate return of the same to General Putnam, of the quantities and kinds of each, and where the same are placed, that the general may take proper order therein, whether for safety or use, as he shall judge proper.

Resolved, That General Putnam be authorized to employ all the private armed vessels in this harbour, for the defence and security of the city. And that he take the

most effectual measures for manning them, and putting them in fit condition for the above purpose.

General Putnam and Brigadier General Mifflin being called to a conference, and having, by strong arguments, urged the necessity of the Congress retiring, it was, therefore,

Resolved, That Mr. Wilson be desired to inform the assembly and council of safety of Pennsylvania of the ||proposed|| adjournment of Congress, and the place to which they have resolved to adjourn; and to inform them, that Congress will, at all times, on their application, be ready to comply with their requisitions for the security of this city and state against the common enemy.

Whereas the movements of the enemy have now rendered the neighbourhood of this city the seat of war, which will prevent that quiet and uninterrupted attention to the public business, which should ever prevail in the great continental council:

Resolved, That this Congress be, for the present, adjourned to the town of Baltimore, in the state of Maryland, to meet on the 20th instant, unless a sufficient number to make a Congress shall be there sooner assembled; and that, until the Congress shall otherwise order, General Washington be possessed of full power to order and direct all things relative to the department, and to the operations of war. That the several matters to this day referred, be postponed to the day to which Congress is adjourned.¹

¹ "The near approach of the enemy to Philadelphia, the slowness of the militia, and the advice of friends, induced the Congress to adjourn to this town." *William Thornton to Meshech Weare*, 25 December, 1776. Whipple intimates that a panic in all orders of people "seized the nerves of some members of Congress."

In the *Papers of the Continental Congress*, No. 36, IV, folio 241, is an undated motion which probably belongs to this period of removal:

"*Resolved*, That it be recommended to the Council of Safety of this State to post at the different ferries on Skuykill and Delaware and also at Shamany sentries, to be

BALTIMORE

FRIDAY, DECEMBER 20, 1776

Congress met according to adjournment.

The delegates from Georgia produced the credentials of their reappointment, which were read as follows:

GEORGIA

IN CONVENTION, SAVANNAH, 9th October, 1776.

The Convention proceeded to ballot for Delegates to represent this State in the Continental Congress for the Year ensuing: when, on closing the Poll, it appeared that Messrs. John Houstoun, Lyman Hall, Button Gwinnett, George Walton, and Nathan Brownson, Esquires were duly elected, and declared so accordingly.

A true Copy from the Minutes,

EDWARD LANGWORTHY, *Secretary*.¹

Sundry letters were read, viz.

Three from General Washington, of the 12, and 13, and 15; with one, of the 13th, from General Sullivan.

Four, from Mr. R. Morris, ||at Philadelphia,|| of the 13, 14, 16, and 17th.

One, of the 8, from General Wooster:²

formed from the Associators of this province whose business it shall be to make particular enquiry of all persons attempting to cross such ferries and to prevent such passing who cannot give a good and sufficient account of themselves as friends to these States, or who have not a pass from the Congress or Council of Safety or Board of War, or are not in motion to join the Army of these United States, and that officers of discretion have the command at the several posts and that he [they] be instructed from time to time to transmit whatever may come to their knowledge, which they may deem interesting to these States."

On the back of the paper is noted by Charles Thomson the vote, eight ayes and three noes.

¹The original is in the *Papers of the Continental Congress, Georgia, Credentials of Delegates*.

²The letters of Washington are in the *Papers of the Continental Congress*, No. 152, III, folios 343, 351, and 355. They are printed in *Writings of Washington* (Ford), V. 82, 89, and 100. That of Morris is in No. 137 (appendix), folios 1-19, and that of Wooster is in No. 161, folio 323.

Ordered, That they be referred to a committee of four: The members chosen, Mr. R[ichard] H[enry] Lee, Mr. [James] Wilson, Mr. [Benjamin] Harrison, and Mr. [Samuel] Adams.

Resolved, That Benjamin Griffith do immediately supply the prisoners from North Carolina with provisions, cloathing, and blankets, and fuel, sufficient to protect them from the inclemency of the weather; and that the apartments, in which they are confined, be glazed, and in other respects secured from the weather, so that the health of the prisoners may be preserved, and they experience that humanity which has ever marked the conduct of this Congress to its prisoners.

~~Resolved, That the President send to the council of safety of Maryland a copy of the resolution passed the 9, and forwarded to the committees of Cecil, &c., and inform the said council of the reason that induced Congress to send the same to the committees, and request the council of safety to exert their utmost endeavours in forwarding the reinforcements.¹~~

Resolved, That the president write to General Washington, and desire him to send a flag to General Howe, and enquire in what manner General Lee, ||who has been taken prisoner,|| is treated: and if he finds that he is not treated agreeable to his rank and character, to send a remonstrance to General Howe on the subject; and farther, to enquire of General Howe whether he will grant permission to send General Lee such supplies of money as may be necessary to support him, during his confinement, in a manner suitable to his rank in the service of the United States of America:

That the president also write to Mr. R[obert] Morris, and request him to send 100 half-johannes to General Washington for the use of General Lee.

¹ In margin is written "Counter-ordered."

||The several matters to this day referred, being postponed,||

Adjourned to 10 o'Clock to Morrow.¹

SATURDAY, DECEMBER 21, 1776

A letter, of the 1 October, from Mr. [Silas] Deane, was read:

A letter of the 19 from the committee of Frederic county, was read, together with sundry resolutions passed by the said committee, respecting the marching of the militia ||of that county||, to reinforce General Washington, ||was read.||²

A number of prisoners being sent to Baltimore: Whereupon,

Resolved, That the committee of Baltimore be requested to secure, in a convenient room, under a guard, the prisoners, arrived this day from Philadelphia, except the two Goodrichs, who are to be committed to gaol; that Mr. [B.]

¹ In the *Papers of the Continental Congress*, No. 36, IV, folios 147 and 239, are two undated motions, as follows:

“Resolved, That the committee appointed to superintend the printing of the Journals of Congress, be empowered and directed to send an Express to enquire where Mr. Robert Aitken, who was employed in printing them, is or may be; and that they cause so much of them as are already printed to be removed to this place, and also to remove his press and Utensils to this place at the public expence: provided the said Robert Aitken shall be willing to come with them, and perform his engagement with Congress.”

“Resolved, That the committee appointed to superintend the printing of the Journals write to Mr. Aitken of Philadelphia and request that he would immediately proceed hither with his press and every other matter necessary for completing the printing of the Journals of the Congress, and that he also bring with him the several Copies of the Journal so far as he has advanced in printing them, and that he may rest assured that the Congress will reimburse him any extraordinary expence which may attend his removal in Addition to what they have already engaged to pay him had not circumstances rendered this additional trouble necessary.”

As Dunlap printed the resolution of December 23 on militia accounts, he must have been called to Baltimore almost immediately after the removal of Congress to that place.

² This letter is in the *Papers of the Continental Congress*, No. 70, folio 97.

Griffith be empowered to supply them with provisions and other things absolutely necessary for them, until farther orders of Congress.

Resolved, That 6,000 dollars be advanced to Colonel Thomas Price, for the purpose of recruiting his batallion; he to be accountable.

The Board of Treasury reported, that they have had under consideration the account of Colonel [Captain] W[illiam] Richardson for guarding the continental treasury from Philadelphia to this place [Baltimore]; that the expence of the guard, with the provender for the teams, amounts to one hundred forty two pounds, one shilling and eleven pence [=378.83 dollars;] and he credits one hundred twelve pounds, ten shillings [=300 dollars] received by a warrant on the treasurer, and that there remains due to the said [Captain] W. Richardson, [twenty nine pounds, eleven shillings, eleven pence Pennsylvania currency, equal to] 78 83/90 dollars:¹

Ordered, That the said accounts be paid.

A letter, of the 15, from General Armstrong, at Philadelphia, was read, and referred to the Board of War.²

The committee to whom were referred the letters from General Washington and Mr. Morris, brought in their report, which was taken into consideration: Whereupon,

~~*Resolved*, That Mr. President inform General Washington by letter, that Congress approve his conduct in not publishing in general orders the resolve of Congress of the 11 instant.~~

That proper magazines of provision for the army be immediately formed in or near Pennsylvania, and that Congress approve of the General's sending General Armstrong to fix on the most secure and convenient places for such

¹This report is in the *Papers of the Continental Congress*, No. 136, I, folio 11.

²This letter is in the *Papers of the Continental Congress*, No. 162, folio 260.

magazines; to animate the militia, and facilitate the recruiting service in Pennsylvania:

That Congress approve of General Washington's sending General Smallwood to Maryland, to encourage and promote the speedy raising of the new levies therein; and General Smallwood is requested to use his utmost endeavours in executing that business:

That Robert Morris, George Clymer, and George Walton, Esqrs. be a committee of Congress, with powers to execute such continental business as may be proper and necessary to be done at Philadelphia:¹

That 200,000 dollars be immediately sent to Mr. Commissary Mease, subject to the disposition of the said committee, for providing the militia going into service; for paying the soldiers from Ticonderoga, and for such other public uses as they shall think proper:

That if the above sum should be insufficient, the said committee have power to call on the commissioner of the loan office, in Pennsylvania, for such farther sums, as the continental use there may demand:

That the said committee keep up a regular correspondence with Congress, informing them, from time to time, of their proceedings herein:

That the resolve respecting the appointment of this committee, and its powers, be transmitted to Messieurs Morris, Clymer, and Walton, by Mr. President; and that he inform the said gentlemen, that Congress approve their care of the public business as signified in Mr. Morris's letters. Also, that Mr. Morris be informed, that Congress highly approve his plan of fitting the continental frigates at Philadelphia regularly for sea, and with all possible expedition:

¹ "Your Committee have opened their office and given publick notice of their daily attendances to transact such Continental business as may be proper and necessary in this place." *Committee to the President of Congress*, 28 December, 1776.

~~Resolved, That a magazine of ammunition and arms, with a proper laboratory, be immediately formed at York Town, in Pennsylvania.¹~~

That Mr. Secretary Peters be directed, by the Board of War, to repair to Baltimore as soon as possible.

Resolved, That 19,000 dollars be advanced to Mr. John Boyd, pay master of Colonel Mackay's batallion, for the use of that batallion; he to be accountable for the expenditure.

Resolved, That two chaplains be appointed to this Congress.

That Monday next be assigned for chusing them.

Congress resumed consideration of the letter from the committee of Frederic county: Whereupon,

Resolved, That 18,000 dollars be transmitted to the committee of Frederic, for the use of the militia of the counties of Frederic, Washington, and Montgomery, who march to reinforce General Washington; the said committee to be accountable: That the committee transmit to General Washington a particular account of the money advanced to the militia.

Resolved, That officers of troops inlisted for three years, or during the war, receive pay on the new establishment, from the time of their being appointed by their respective States, in consequence of the resolution of Congress passed the 16th of September last.

Resolved, That such alteration be made in the rations of the Virginia troops as the governor and council of that state shall direct, provided the expence does not exceed that of the ration established for the continental army.

Resolved, That three thousand dollars be advanced to Colonel W. Richardson for the purpose of recruiting his regiment; he to be accountable.

¹ "A subsequent resolution of 27th December, determining a magazine, &c. to be erected at Carlisle, supersedes this." *Note in margin.*

Resolved, That Mr. [William] Hooper be empowered to examine into the state of the North Carolina prisoners, and have such of them as are sick, removed to a private house, and kept under guard; and that he provide a physician to attend them.

Resolved, That General Washington be directed to pay the militia that may reinforce his army, in the same manner as his other troops are paid; and that, on their discharge, one penny per mile be allowed in lieu of rations, to support them on their march to their respective places of abode.¹

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Monday.

MONDAY, DECEMBER 23, 1776

Congress agreeable to the order of the day, proceeded to the election of chaplains, and the ballots being taken the Reverend Mr. P. Allison, and the Reverend Mr. W. White, were elected.

Ordered, That Mr. [John] Witherspoon, Mr. [Samuel] Adams, and Mr. [William] Hooper, be a committee to inform the said gentlemen of their appointment, and desire their attendance.

Mr. [William] Hooper having reported, that the present situation of the prisoners is very disagreeable and dangerous to their health, on account of the prison being much out of repair; Whereupon,

Resolved, That until the apartments of the jail of the town of Baltimore shall be repaired, and put in such a condition as not to endanger the health of those who may be confined in them, that the prisoners from the state of

¹ This paragraph is in a writing other than that of Charles Thomson.

North Carolina be removed from thence to different rooms in the court house, or wherever else they can be procured, and there safely locked up and secured; and that the committee of inspection of the said town, be requested to direct proper apartments for their reception, and from time to time, keep up a good and sufficient guard over them; and, in order to secure them more effectually, that the prisoners, agreeable to their own voluntary proposal, shall be upon their parole not to make any attempts to escape from confinement, nor interfere in the present war with Great Britain, by carrying on any correspondence, conversation, or otherwise, with the enemies of America; and that during this confinement, Benjamin Griffith, who, by a late resolve of this Congress, was directed to supply the prisoners when confined in gaol, continue to supply and accommodate them with necessaries for their support.

Resolved, That Robert Patton be door keeper, and James Long, messenger, ||to Congress.||

Resolved, That to Morrow be assigned for appointing skilful persons to be sent to examine the Salisbury and Mr. Livingston's foundaries, agreeable to the resolution of the 28 November last.

The Committee of Secret Correspondence, having applied for instructions to enable them to return an answer to the letter read yesterday from Mr. Deane, Congress took the said letter into consideration; Whereupon,

Resolved, That the Committee of Secret Correspondence be directed to inform the Commissioners at the Court of France, that Congress have received no advices concerning the proceedings of Portugal but what they have seen in the news papers, the authenticity of which may be doubtful. That Congress desire exact information from

the Commissioners, whether any American vessels have been prohibited entering, or have been confiscated, in the dominions of Portugal, and on what principles.

That they be directed to remonstrate in the firmest tone with the Portuguese Ambassador on these subjects, so soon as they shall have well informed themselves of the facts above mentioned.

That the Commissioners be authorised to arm and fit for war any number of vessels not exceeding six, at the expence of the United States, to war upon British property, and that commissions and warrants be for this purpose sent to the Commissioners, provided the Commissioners be well satisfied this measure will not be disagreeable to the court of France.

Resolved, That Mr. John Boyd, the pay master of Colonel Mackay's batallion, be empowered to receive from Mr. William Smith, at Hanover, such a number of shoes as may be wanted for the use of the said batallion.

Resolved, That the assemblies, conventions, committees or councils of safety, and other persons that are or may be entrusted with money for the militia reinforcing the armies of the United States, transmit the receipts of the officers receiving the same to the pay master or deputy pay master general of the respective armies; who are hereby directed to make the proper stoppages, and give certificates of the delivery of such receipts, specifying therein, the names of the persons signing them, the dates and sums mentioned in the same, and the persons to whom the receipts were given; which certificates shall be received by the commissioners of the treasury as sufficient vouchers for discharging the respective accounts from the sums expressed in the same.

Resolved, That the Commissioners of Congress at the Court of France be authorised to borrow on the faith of

the thirteen United States a sum not exceeding two millions sterling, for a term not less than ten years.

That, if the money borrowed cannot be obtained at a less interest than six per centum, the Commissioners be permitted to engage for that rate of interest, and that they stipulate for the payment of the interest at periods not less than annual.

That if the Commissioners can contract for the payment of the principal and interest in the products of North America, to be delivered here, it will be very agreeable to Congress.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, DECEMBER 24, 1776¹

A letter, of the 20th, from the council of safety of Pennsylvania.

One, of the 21, from R. Morris.

One, of the 10th, from General Schuyler, with sundry papers enclosed, ||were received and read:||²

Resolved, That the last be referred to the committee on the affairs of the northern army.

Resolved, That two members be added to the said committee:

The members chosen, Mr. [Thomas] Heyward, and Mr. [William] Whipple.

Resolved, That 200,000 dollars be advanced to the council of safety of Pennsylvania, for the public service; the said council to be accountable.

¹ From this point to the end of the year 1776, the entries in the Corrected Journal is in a writing other than that of Charles Thomson.

² The Council of Safety letter is in the *Papers of the Continental Congress*, No. 69, 1, folio 273. That of Robert Morris is in No. 137 (appendix), folio 21.

Resolved, That Mr. Hillegas, the treasurer, be empowered to employ proper persons to sign the Bills which remain unsigned in the treasury, and return their names to Congress.

Resolved, That a letter be immediately written by Mr. President to the assemblies of New Hampshire, Massachusetts bay and Connecticut, informing them, of the critical state of the fortress of Ticonderoga and the other posts in that quarter; and the extreme danger of General Carleton's possessing himself of that fortress as soon as Lake Champlain shall be so frozen, as to be capable of bearing horses: that, by a letter from General Schuyler, Congress is informed, that the troops, now occupying those posts, will not tarry after the 31 of this month; and, in the most pressing terms, urging the necessity of hastening up troops, from their respective states, with the utmost despatch, in the following proportions, viz. 2,500 from Massachusetts bay, 1,500 from Connecticut, and 500 from New Hampshire, making 4,500. Informing them, that Congress desire they will not wait till the several corps are compleated; there being now a plentiful stock of provisions at Ticonderoga, and nothing to fear from the enemy till the lake shall be frozen, as above-mentioned.

Resolved, That two members be added to the committee appointed on the 17 October for the better regulating the Treasury Board:

The members chosen, Mr. [Thomas] Nelson, and Mr. [William] Ellery.

Resolved, That 533 $\frac{1}{3}$ dollars be advanced to Thomas Nichols, deputy quarter master general, for the public service, and charged to the account of Brigadier General Mifflin, quarter master general, to whom said Nichols, who is an officer in his department, is to be accountable.

Resolved, That a committee of five be appointed to prepare and report a plan for obtaining foreign assistance.

The members chosen, Mr. [Elbridge] Gerry, Mr. [John] Witherspoon, Mr. R[ichard] H[enry] Lee, Mr. [Abraham] Clark, Mr. S[amuel] Adams.

Sundry French letters were laid before Congress, and read:

Ordered, That the said letters ~~from Genest and de Champigny~~ be referred to the committee for procuring cannon.

Resolved, That a member be added to the said committee.

The member chosen, Mr. [Francis] Lewis.

Resolved, That two other magazines of ammunition, in addition to that agreed to on the 21, be formed, one in the eastern states, and one in the southern states:

Ordered, That the delegates of the eastern states confer together, and also those of the southern states, and fix upon proper places, and report to Congress on Thursday next.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock on Thursday.¹

¹ "An inexcusable neglect in the officers, want of fidelity, honour, and humanity in the doctors, and avarice in the suttlers, has slain ten soldiers to the enemy's one, and will soon prevent every man of common sense from putting his life and fortune in the power of such as destroy both without pity or mercy. I have proposed to Congress that every State in future should appoint one or more suttlers, as they think proper, for their own men, to be supplied by a committee appointed by said State with every thing necessary for sick and well men, at a price stipulated by said State; the suttlers and committee to be paid by and accountable to said State; and a superintendent who shall have no other business but to see that every soldier belonging to the State is properly supplied and supported agreeable to their circumstances, and that proper stoppages be made for what they receive, when they are receiving their wages. The Congress approve of the method, but say it is the business and duty of each State to take care of their own men, and they expect they will." *Matthew Thornton to Meshech Weare, 25 December, 1776.*

THURSDAY, DECEMBER 26, 1776

Sundry letters were read, viz.

One, of the 16, from General Washington, with an extract of a letter from Commissary General Trumbull:

One, of the 13th, from said Commissary General Trumbull at Morristown:

One, of the 8th, from Governor Cooke:

One, of the 20th, from General Washington, with a plan for the establishment of artillery, and a memorandum.¹

One, of the 21, from General N. Greene:

Two, of the 22, from the council of safety of Pennsylvania, with sundry letters from Ticonderoga:

One, of the 2d, from Colonel A[nthony] Wayne, at Ticonderoga, with sundry papers enclosed:

One, of the 6th, from Colonel J. Wood, at ditto:

One, of the 23, from Samuel Washington, of Berkley county, Virginia:

One, of the 10, from Colonel John Brown, of Albany, with papers enclosed:

Also, a letter from Donald M'Leod, Alexander M'Leod, Kenneth M'Donald, and a petition from Thomas Slater, prisoners.²

Resolved, That 400,000 dollars be advanced to Joseph Trumbull, commissary general; he to be accountable.

Resolved, That J. Trumbull, Esq^r commissary general, be empowered to import, at the continental risque, from

¹The letters of Washington are in the *Papers of the Continental Congress*, No. 152, III, folios 361, 369. They are printed in *Writings of Washington* (Ford), V, 101, 112. The letter from Joseph Trumbull is in No. 78, XXII, folio 179. That of Governor Cooke, is in No. 64, folio 366.

²That of Greene is in No. 155, I, folio 31. That of the Pennsylvania Council of Safety is in No. 69, I, folio 281; that of Joseph Wood is in No. 78, XXIII, folio 327; that of Joseph Trumbull is in No. 78, XXII, folio 179; and that of Brown is in No. 78, II, folio 113. The letter from McLeod &c. is in 78, XV, folio 159, and the petition of Slater is in No. 42, VII, folio 19.

Virginia and Maryland, and the other southern states, such quantities of flour and other provisions as he may judge necessary for the support of the army.

Resolved, That the delegates of Virginia be empowered and directed to write to the governor and council of their state, and request them to contract with proper persons for the delivery of 10,000 barrels of flour on James, York, Rappahannock, and Potomack rivers, to the order of Joseph Trumbull, commissary general of the continental army, or of a larger quantity should he require a further supply; the said J. Trumbull to send vessels to take it in, and to pay for, drawing orders on the president of Congress for the payment of the same.

Ordered, That the letters read be referred to a committee of the whole:

Congress than resolved itself into a committee of the whole, to take into consideration the letters; and, after some time spent thereon, the president resumed the chair, and Mr. [Benjamin] Harrison reported, that the committee have had under consideration the letters to them referred; but, not having time to finish, desire leave to sit again to Morrow at 10 o'Clock.

Resolved, That this Congress will, to Morrow, at 10 o'Clock, resolve itself into a committee of the whole, to take into consideration the letters read this day.

Resolved, That a committee of three be appointed to take into consideration the state of the army, and report thereon to Morrow morning:

The members chosen, Mr. R[ichard] H[enry] Lee, Mr. [James] Wilson, and Mr. [Samuel] Adams.

Resolved, That a committee of five be appointed to prepare a plan for the better conducting the executive business of Congress, by boards composed of persons, not members of Congress:

The members chosen, Mr. [William] Whipple, Mr. [James] Wilson, Mr. [Elbridge] Gerry, Mr. [Thomas] Nelson, and Mr. [Robert] Morris.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

FRIDAY, DECEMBER 27, 1776

Resolved, That the of sum 3,333 1/3 dollars be advanced to Mr. James Nourse, for the use of the militia of Berkley and Frederic counties, in Virginia, who are about to march to reinforce General Washington; the said Mr. J. Nourse to be accountable for the expenditure.

Resolved, That the resolution passed the 3d of December, granting a pair of shoes and stockings to the militia of Pennsylvania, and by which they are entitled to the same rations and the same monthly pay with the other troops on the continental establishment, to commence from the time of their enrolment, be extended to the Virginia militia, who march to reinforce General Washington.

Sundry letters were read, viz.

One of the 23, from Mr. R. Morris; one, of the 3, from General Schuyler, at Saratoga; one from Henricus Godet, of St. Eustatia, of November 30; one, of the 18, from Richard Dallam, deputy pay master general, at Newtown, in Bucks county, Pennsylvania; one, of the 5, from Jonathan Trumbull; one, of the 25 November, from Joseph Trumbull; a petition from Faneuil and others. to the assembly of Massachusetts bay, and a resolution passed by the said assembly in consequence thereof.¹

¹The letter of Robert Morris is in the *Papers of the Continental Congress*, No. 137 (appendix), folio 25. That of Schuyler is in No. 153, II, folio 505. That of Godet is in No. 78, X, folio 53. That of Dallam is in No. 78, VII, folio 91. That of Joseph Trumbull is in No. 78, XXII, folio 175. The petition from Faneuil, Marec, Coppin de la Garde, and Binnal de Laboulbine, is in No. 42, III, folio 13.

The committee on the state of the army, brought in their report, which was taken into consideration; Whereupon,

Resolved, That a brigadier general of artillery be appointed; and, the ballots being taken,

Colonel Henry Knox was elected.

Resolved, That General Washington be empowered to use every endeavour, by giving bounties and otherwise, to prevail upon the troops, whose time of enlistment shall expire at the end of the month, to stay with the army so long after that period, as its situation shall render their stay necessary:

That the new levies in Virginia, Maryland, the Delaware state, Pennsylvania, and New Jersey, be ordered to march by companies, and parts of companies, as fast as they shall be raised, and join the army under General Washington, with the utmost despatch:

That the foregoing resolution be transmitted by the president to the executive powers of the states before mentioned, who are requested to carry it into execution; to appoint commissaries to precede the troops, and procure provision for them on their march; and that they be empowered to draw money for this purpose from the nearest continental pay master:

That General Washington be empowered to appoint a commissary of prisoners, and a cloathier general for supplying the army; to fix their salaries, and return their names to Congress:

That General Washington be requested to fix upon that system of promotion in the continental army, which, in his opinion, and that of the general officers with him, will produce most general satisfaction; that it be suggested to him, whether a promotion of field officers in the colonial line, and of captains and subalterns in the regimental line, would not be the most proper:

That the Committee of Congress at Philadelphia be desired to contract with proper persons for erecting at Carlisle, in Pennsylvania, a magazine sufficient to contain ten thousand stand of arms and two hundred tons of gun powder, and also for erecting an elaboratory adjacent to such magazine.

That the council of Massachusetts bay be desired to contract with proper persons for erecting in the town of Brookfield in that state, a magazine sufficient to contain ten thousand stand of arms and two hundred tons of gun powder, and also for erecting an elaboratory adjacent to such magazine.

That Congress approve of General Washington's directing the quarter master general to provide teams for each regiment, and for other necessary purposes:

That the Committee of Secret Correspondence be desired to direct the Commissioners at the Court of France to procure, if possible, from that Court an hundred thousand stand of small arms.

That the 2d and 7th Virginia regiments, with all the convalescents from the other corps left in that state, and now fit for duty, be ordered to march and join the army under General Washington, with the utmost despatch, leaving the arms that they have at present, with the governor and council of that state, as they will be provided with others at the Head of Elk:

That three of the regiments, upon the new establishment, in North Carolina, be ordered to march immediately into Virginia, and put themselves under the direction of the officer commanding there; and that during the interval between the march of the Virginia regiment and the arrival of those from North Carolina to join General Washington:

That the state of Virginia be empowered to call into service, at the continental expence, three regiments of militia, or minute men, if such a measure shall be, by that state, judged necessary.

The unjust, but determined, purpose of the British court to enslave these free states, obvious through every delusive insinuation to the contrary, having placed things in such a situation, that the very existence of civil liberty now depends on the right execution of military powers, and the vigorous, decisive conduct of these, being impossible to distant, numerous, and deliberative bodies:

This Congress, having maturely considered the present crisis; and having perfect reliance on the wisdom, vigour, and uprightness of General Washington, do, hereby,

Resolve, That General Washington shall be, and he is hereby, vested with full, ample, and complete powers to raise and collect together, in the most speedy and effectual manner, from any or all of these United States, 16 battallions of infantry, in addition to those already voted by Congress; to appoint officers for the said bataillions; to raise, officer, and equip three thousand light horse; three regiments of artillery, and a corps of engineers, and to establish their pay; to apply to any of the states for such aid of the militia as he shall judge necessary; to form such magazines of provisions, and in such places, as he shall think proper; to displace and appoint all officers under the rank of brigadier general, and to fill up all vacancies in every other department in the American armies; to take, wherever he may be, whatever he may want for the use of the army, if the inhabitants will not sell it, allowing a reasonable price for the same; to arrest and confine persons who refuse to take the continental currency, or are otherwise disaffected to the American

cause; and return to the states of which they are citizens, their names, and the nature of their offences, together with the witnesses to prove them:

That the foregoing powers be vested in General Washington, for and during the term of six months from the date hereof, unless sooner determined by Congress.

Resolved, That the council of safety of Pennsylvania be requested to take the most vigorous and speedy measures for punishing all such as shall refuse continental currency; and that the General be directed to give all necessary aid to the council of safety, for carrying their measures on this subject into effectual execution.

Mr. Hillegas having returned the names of persons ||by him employed|| to superintend the press, and to sign the bills of credit, they were agreed to; and are,

Superintendents of the press: Thomas Harrison, William Smith, and John Merryman, Junior.

Signers of money: ~~John Smith, William Buchanan, William Lux, Daniel Bowley,~~ William Asquith, John Griffith, Hercules Courtney, ~~John Moale,~~ John Cokey, James Kelso, Richard Cromwell, ~~Thomas Sellers, William Wilkinson,~~ James Colhoun, ~~John McHenry, John McLure, Jonathan Hudson, Thomas Russel,~~ George Welsh, Theodore Barrell, Thomas Donnellan, John Boyd, Benjamin Levy, ~~David Stuart, George Lux, Jacob Hart,~~ Samuel Hillegas, and William Govett.

Resolved, That 266 $\frac{2}{3}$ dollars be advanced to John Griffith, for the use of the sick soldiers in Baltimore; he to be accountable.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

SATURDAY, DECEMBER 28, 1776

Resolved, That a committee of three be appointed to prepare a circular letter to the several United States, explaining the reasons which induced Congress to enlarge the powers of General Washington, and requesting them to co-operate with him, and give him all the aid in their power:

The members chosen, Mr. R[ichard] H[enry] Lee, Mr. [James] Wilson, and Mr. [Samuel] Adams.

Resolved, That the five millions of dollars, which by the resolution of the 2d of November last, the Treasury Board were ordered to prepare and have ready for emission, be now emitted on the faith of the United States.

Resolved, That the council of safety of the state of Maryland, be, and they are hereby, requested, to furnish Mr. John Griffith with fifty blankets for the use of the sick soldiers in Baltimore, who stand in immediate need thereof.

Resolved, That 400 dollars be advanced to Colonel Carvill Hall, for the use of his batallion; he to be accountable.

The committee, to whom the report of the gentlemen who were directed to repair to Ticonderoga, and the papers therein mentioned, were referred, brought in a report, which was taken into consideration: Whereupon,

Resolved, That in the opinion of Congress, the northern army may be supplied more advantageously and conveniently, in the present mode by the commissary general governing himself by such regulations as have been, and may be, from time to time, ordained by the general or commander in chief, than by contractors:

That the commissary general be directed, without fail, to supply the northern army, this winter, with vegetables

twice in every week, or more frequently, if possible; and to take effectual measures that they be well supplied with vinegar:

That two large floating batteries be built on Lake Champlain, to cover the boom and the bridge; and that General Schuyler be desired to contract with builders for this purpose in New York, or Massachusetts bay, or both, and that General Schuyler provide the materials:

That the committee for supplying cannon be directed to procure ten brass six inch howitzers, with shells, and a proper attrail, for the use of the northern army:

That a fort be constructed on Mount Independence: that the navigation of the lake near that place be obstructed by Cassons, to be sunk in the water, at small distances from one another, and joined together by string pieces, so as, at the same time, to serve for a bridge between the fortifications on the east and west sides; that, to prevent the enemy from drawing their small craft over land beyond Three Mile Point into Lake George, the passage of that lake be also obstructed, in like manner, by Cassons from island to island in the narrows, if practicable, or by floating batteries; that Fort Stanwix be strengthened, and other fortifications be made at proper places near the Mohawk river, and that General Schuyler, or the commanding officer of the northern army, execute these works this winter; and that the commanding officers of artillery, chief engineer, quarter master general, and commissary general, provide and perform whatever things in their respective departments are necessary, or may contribute to the accomplishment thereof:

That the general court, or council, of the state of Massachusetts bay, be requested to procure such a quantity of oakum, and any other articles, as General Schuyler, who

is desired to write to them on the subject, shall require; and to forward the same to such places as he shall direct:¹

The Committee appointed to prepare a plan for obtaining foreign assistance brought in a report, which was read.²

Ordered, That the same be referred to a committee of the whole house, and that Congress do immediately resolve itself into a committee of the whole to take the same into consideration.

Congress then resolved itself into a committee of the whole to take into consideration the report of the committee on the plan of obtaining foreign assistance, and after some time spent thereon, the president resumed the chair, and Mr. [Benjamin] Harrison reported that the committee have had under consideration the report to them referred, and made sundry amendments, but not having had time to go through the whole desire leave to sit again.

Resolved, That Congress will to Morrow resolve itself into a committee of the whole to take into farther consideration the report of the committee.

Resolved, That the Board of War be empowered and directed to write to Philadelphia for accoutrements and necessaries for six troops of light horse ordered from Virginia.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow morning.

¹ This report, in the writing of George Wythe, is in the *Papers of the Continental Congress*, No. 21, folio 41.

² This report, in the writing of Elbridge Gerry, is in the *Papers of the Continental Congress*, No. 25, I, folio 3. It is printed under December 30, p. 1058, *post*.

SUNDAY, DECEMBER 29, 1776

Resolved, That the committee appointed to consider the letter from General Schnyler, dated the 10th of December, be directed to send a suitable person or persons to Mr. Livingston, owner of the foundery in the state of New York, and to Governor Trumbull, under whose direction is the foundery at Salisbury; and also to the council of the state of Massachusetts bay, to procure such cannon and ordnance stores, as are required by the general in his said letter; as being immediately necessary for the northern department.

Congress then resolved itself into a committee of the whole to take into consideration the report of the committee on the plan of obtaining foreign assistance, and after some time, the president resumed the chair, and Mr. F[rancis] L[ightfoot] Lee reported that the committee have had under consideration the report to them referred, and have come to sundry farther amendments, which he was ready to report.

Resolved, That the report be received and taken into consideration to Morrow.

Resolved, That to Morrow be assigned for appointing more general officers.

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

MONDAY, DECEMBER 30, 1776

A letter, of the 21, from Brigadier General Lewis, was read.

Also two letters, of the 26 and 27, from R. Morris.¹

¹ Lewis's letter is in the *Papers of the Continental Congress*, No. 159, folio 268. Those of Morris are in No. 137 (appendix), folios 33, 37.

The committee, appointed to consider the letters from General Schuyler, and relating to the northern army, brought in a report; Whereupon,

Resolved, That General Schuyler, or the commanding officer of the northern army, be directed to cause an elaboratory to be erected at ~~Albany~~ such place as he shall judge most convenient, to fix all the necessary ammunition for the ensuing campaign.

Resolved, That 15 companies, consisting of a captain or overseer, and 30 men each, be engaged, upon such terms as General Schuyler shall think just and equitable, for the batteau service: and be occasionally employed on the high ways and other works in the quarter master general's department; and that four companies of carpenters, to consist of an overseer and twenty five men each, be engaged in like manner to attend the northern army.

That the Overseers have the Rank and receive the pay of and be allowed the same Rations, and the Men be subsisted and paid as private Soldiers. And that General Schuyler or the Commanding officer of that Army grant warrants to the overseers for inlisting.

For the better regulating waggons in the northern army,

Resolved, That two waggons be allowed to every company on a march, and one waggon to the colonel, one to the lieutenant colonel and major, one to the staff of a regiment, and one for the particular use of the director of the hospital. Each waggon to be drawn by two horses, (except that for the colonel, which is to be allowed four horses,)¹ and subject to such orders, as shall, from time to time, be issued by the general or commanding officer.

Resolved, That if any commissioned or non-commissioned officer shall employ more carriages than are mentioned in the foregoing resolution, he shall not be allowed to make a public charge of it, but shall pay the customary

¹ The words in parentheses were inserted in the writing of Charles Thomson.

price himself: and, on his refusal or neglect of so doing, he shall be subject to be fined by a court martial in treble the sum; one third part of such fine to be for the use of the owner of the waggon or other carriage so employed, and the other two thirds to the pay master for the public use; the part adjudged to the owner of the carriage shall be paid to him by any quarter master on the certificate of the president of the court martial, who shall transmit the whole fine to the pay master, in order that the same may be deducted from the pay of the delinquent.¹

Resolved, That the ~~Secret Committee~~ Board of War be directed to order Sixty Tons of Cannon Powder and Thirty four tons of musquet Powder to be immediately sent to Genl Schuyler for the Use of the Northern Army, provided those quantities can be spared consistent with the Safety of the several States. Postpon'd.¹

Congress being informed that some of the prisoners have broken out of gaol, and made their escape,

Resolved, That the committee of observation for Baltimore county be requested to direct immediate and strict search for the prisoners, who last night escaped from the gaol in Baltimore town; and to offer a reward for the apprehending and securing the said prisoners; and that the said committee make enquiry into the conduct of the gaolor, or any other person suspected of permitting or assisting the escape; and that they take such measures as they shall think proper to bring such offenders to punishment.

Resolved, That 200 dollars be paid into the hands of the committee appointed to consider the letter from General Schuyler of the 10th of December, for the payment of the expences of some suitable person or persons to be sent by them to Mr. Livingston, Governor Trumbull, and

¹ This report was laid before Congress April 25, 1776. See the note on p. 297, *ante*.

December, 1776

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the council of the state of Massachusetts bay, agreeable to a resolution passed yesterday; the said committee to be accountable.

The committee appointed to prepare a circular letter to the several states, reported a draught, which was read, amended, and agreed to:

Ordered, That copies be made, signed by the president, and transmitted to each of the United States.

(Circular.)

BALTIMORE, *Decem. 30th, 1776*

GENTLEMEN,

Ever Attentive to the Security of Civil Liberty, Congress would not have Consented to the Vesting of such Powers in the Military Department as those, which the Inclos'd Resolves convey to the Continental Commander in Chief, if the Scituation of Publick Affairs did not Require at this Crisis a Decision and Vigour, which Distance and Numbers Deny to Assemblies far Remov'd from each other, and from the immediate Seat of War.

The Strength and Progress of the Enemy, Join'd to Prospects of considerable Reinforcemts have Render'd it not only Necessary that the American Force should be Augmented beyond what Congress had heretofore Design'd, but that it should be brought into the Field with all possible Expedition. These Considerations induce Congress to Request in the most earnest manner, that the fullest influence of your State may be Exerted to Aid such Levies as the General shall Direct in consequence of the Powers now given him, and that your Quota of Battalions formerly fix'd may be Compleated with all the Dispatch that an Ardent Desire to Secure the publick happiness can Dictate.

I have the Honour to be with every Sentiment of Esteem, Gentlemen

Your most Obedt Servt

J H P^t.¹

¹From a copy of the letter, in the writing of John Hancock, in the *Papers of the Continental Congress*, No. 58, folio 9. At the foot of the letter he has added:

“The foregoing Letter I have Sent to all the States with the resolves referr'd to, with this Variation, that the States of Virginia, Maryland, Delaware, Pennsylvania, New Jersey and North Carolina are Desir'd to order their New Levies to Join General Washington; the other States are Address'd as in the foregoing Letter.”

It appearing to Congress that it will be extremely difficult, if not impracticable, to supply the army of the United States with bacon, salted beef, pork, soap, tallow and candles, unless the exportation thereof be prohibited; therefore,

Resolved, That none of the said articles, except such as may be necessary for the crew of any ship or vessel, be exported from any of the United States after the 5th day of January next, until the first day of November next, or until Congress shall take further order therein. And it is earnestly recommended to the executive powers of the several United States, to see that this resolution be strictly complied with.¹

Resolved, That the Board of War be empowered to agree with, and employ, as an assistant clerk, Mr. ~~Robert Smith~~ Nourse, late General Lee's secretary.

The report from the committee of the whole being read, the same was taken into consideration; Whereupon,

Resolved, That Commissioners² be forth with sent to the Courts of *Vienna*, Spain, Prussia and the grand Duke of *Tuscany*.³

That the several Commissioners of the United States be instructed to assure the respective Courts, that notwithstanding the artful and insidious endeavours⁴ of the Court⁵ of Great Britain to represent the Congress and inhabitants of these states to the European powers, as having a disposition again to submit to the sovereignty of the crown of Great Britain, it is their determination at all events to maintain their independance.

¹The Virginia House of Delegates instructed the delegates in Congress, December 19, to apply for an embargo on the exportation of beef, pork, and bacon.

²In the original report the word "ambassadors" was used in place of "Commissioners."

³Words in italics were added to the original report, in committee of the whole or in Congress. They are in the writing of Charles Thomson.

⁴"Measures" in the original report.

⁶"King" in the original report.

That the Commissioners be respectively directed to use every means in their power to procure the assistance of the *Emperor of Germany*, and of their most Christian, Catholic and Prussian Majesties, for preventing German, Russian, or other foreign troops, from being sent to *America for hostile purposes against these United States, and for obtaining a recall of those already sent.*

That his most Christian Majesty be induced, if possible, to assist the United States in the present war with Great Britain, *by attacking the Electorate of Hanover, or any part of the dominions of Great Britain in Europe, the East or West Indies.*

That to this purpose the Ambassadors be instructed to represent to the Court of France, that in Case G. Britain should succeed against America, a military Government will be established here, and the Americans already trained to arms will, however unwilling, be forced into the Service of his britannic Majesty, whereby his power will be greatly augmented, and may hereafter be employed to reduce to his Government the french and spanish Islands in the West Indies.¹

That, should the Independance of America be supported, Great Britain, on the Contrary, would at once be deprived of one third of her power and Commerce; that this in a great Measure would be added to the Kingdom of France, whose Territories in the West Indies would be less liable to Molestation from G. Britain and probably enlarged.¹

That the Commissioners be farther impowered to stipulate with the court of France, that all the trade between the United States and the West India islands shall be carried on by vessels, either belonging to the subjects of his most Christian Majesty, or of these states, each having free Liberty to carry on such trade.

That the Commissioners be likewise instructed to assure his most Christian Majesty, that should his forces be employed in conjunction with the United States to ex-

¹Two paragraphs in the original report, which were stricken out in Committee of the Whole.

clude his Britannic Majesty from any share in the cod fishery of America, by reducing the islands of Newfoundland and Cape Breton, and ships of war be furnished when required by the United States to reduce Nova Scotia, the fishery shall be enjoyed equally and in common by the subjects of his most Christian Majesty and these states, to the exclusion of all other nations and people whatever; and half the island of Newfoundland shall be owned by and subject to the jurisdiction of his most Christian Majesty; provided, the province of Nova Scotia, island of Cape Breton, and the remaining part of Newfoundland, be annexed to the territory and government of the United States.

That should the proposals already made be insufficient to produce the proposed declaration of war, and the Commissioners are convinced that it cannot be otherwise accomplished, they assure his most Christian Majesty that such of the British West India islands, as in the course of the war shall be reduced by the united force of France and these states, shall be yielded in absolute property to his most Christian Majesty. And the United States engage on timely notice to furnish at their expence, and deliver at some convenient port or ports in the said United States, provisions for carrying on expeditions against the said islands, to the amount of two millions of dollars, and six frigates mounting not less than 24 guns each, manned and fitted for the sea, And to render any other assistance which may be in their power as becomes good allies.¹

¹This last sentence was substituted for the following reading in the original report:

“And the United States engage so soon as the british Arms shall be removed, from their Territories, to furnish and pay ten thousand Men to cooperate with the Arms of France in making a Conquest of said Islands, provided never the less, that his most Christian Majesty will be at the Expence of transporting them to the West Indies and back again.”

That the Commissioners for the Court of France and Spain consult together, and prepare a treaty of commerce and alliance, as near as may be similar to the first proposed to the Court of France, not inconsistent therewith nor disagreeable to his most Christian Majesty, to be proposed to the Court of Spain; adding thereto, "that if his Catholic Majesty will join with the United States in a war against Great Britain, they will assist in reducing to the possession of Spain the town and harbour of Pensacola, *provided the citizens and inhabitants of the United States shall have the free and uninterrupted navigation of the Mississippi and use of the harbour of Pensacola, and will, provided it shall be true, that his Portuguese Majesty has insultingly expelled the vessels of these states from his ports, or hath confiscated any such vessels,*¹ declare war against the said king, if that measure shall be agreeable to and supported by the Courts of France and Spain."

That the Commissioners for the Court of Berlin consult with the Commissioners at the Court of France, and prepare such a treaty or treaties of friendship and Commerce, to be proposed to the King of Prussia, as shall not be disagreeable to their most Christian or Catholic Majesties.

That the Commissioners at the Court of France be informed of the designs of Congress to send Commissioners to the Courts of Vienna and the grand Duke of Tuscany, to cultivate the friendship of those princes, and to form such treaties of commerce as may be beneficial to those countries and the United States, and directed to acquaint the Ambassadors from their courts to that of France with this design; and in the meantime to solicit thro' those Ambassadors the interference of the Emperor

¹The original report read: "and in Consequence of the unprovoked Injury offered them by the King of Portugal."

and the Duke of Tuscany, to prevent G. Britain from sending foreign troops to this Country, and to procure a recall of such foreign troops as are already here.¹

The several matters to this day referred, being postponed,

Adjourned to 10 o'Clock to Morrow.

TUESDAY, DECEMBER 31, 1776

A letter, of the 27, from General Washington.

And one, of the 28th, from the committee of Congress, at Philadelphia, with sundry papers enclosed, were read.²

Resolved, That Doctor Mackenzie be, and he is hereby authorized, to purchase such medicines as are immediately wanted for the sick soldiers belonging to the army of the United States, now in Baltimore, and return an account thereof to Congress.

Resolved, That General Smallwood be directed to exert his utmost endeavours, and give the necessary orders and instructions to expedite the raising the levies in the state of Maryland; and that it be earnestly recommended to the legislature and council of safety, the several committees of observation, the civil, military and militia officers of the said state, and every friend of liberty, and the United States, to give General Smallwood every assistance in their power.

Resolved, That 300 dollars be advanced to Lieutenant Colonel Antill, of Colonel Hazen's batallion, for the use

¹This last paragraph appears to have been added in committee. A copy, in the writing of Richard Henry Lee, is in the *Papers of the Continental Congress*, No. 25, 1, folio 7.

See note under December 28, p. 1049, *ante*.

²Washington's letter is in the *Papers of the Continental Congress*, No. 152, III, folio 401. It is printed in *Writings of Washington* (Ford), V, 401. That of the committee at Philadelphia, prepared by Robert Morris, is in No. 137 (appendix), folio 41.

of the said batallion; and that the same be charged to the account of Colonel Hazen, who is to be accountable.

Resolved, That the requisition of General Schuyler for a supply of 60 tons of cannon powder, and 34 tons of musquet powder, for the use of the northern army, be referred to General Washington; and that he be directed to furnish that army with such quantities of that article as can be spared.

Resolved, That the Board of War be directed to inform General Washington of the quantities of gun powder, belonging to the Congress on hand in the different parts of America, as far as may have come to their knowledge.

A memorial from Lieutenant Colonel Antill was presented to Congress, and read:¹

Ordered, That it be referred to the Board of War.

A letter from William Kennon, of North Carolina, to General Lee, was read:²

Ordered, That it be referred to a committee of three:

The members chosen, Mr. [William] Hooper, Mr. [Thomas] Heyward, and Mr. [Benjamin] Harrison.

Resolved, That any restrictions heretofore imposed upon the exportation of staves or other lumber, except to Great Britain, Ireland, and the British Islands, or any place under the dominion of Great Britain, cease.

Resolved, That a letter be written to General Washington, desiring him to order the cloathier general, to send agents into each state, to buy up linens and other cloathing proper for the soldiery; and that he give similar orders to the quarter master general to pursue the same mode for procuring a sufficient quantity of tent cloth; and that they severally be directed to apply to the states to afford all necessary assistance therein. And whereas

¹This memorial is in the *Papers of the Continental Congress*, No. 41, I, folio 5.

²This letter is in the *Papers of the Continental Congress*, No. 78, XIII, folio 431.

great expence hath heretofore arisen from public agents bidding against each other, the General is desired to caution the cloathier general and the quarter master general, that their agents aforesaid, fall not into the above mistake in times to come.

A memorial from John Matthewson, and others, was read; also a letter from Mr. Hughes:

Ordered, That they be referred to the Marine Committee.

An appeal being lodged against the judgment of the court of admiralty for the state of Rhode Island and Providence Plantations, on the libel, Eseek Hopkins *vs.* Richard Derby:

Ordered, That it be received, that it may be prosecuted before the committee on appeals.

The several matters to this day ||referred, being postponed,

Adjourned to 10 o'Clock to Morrow.||

STANDING COMMITTEES

1775-1776

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STANDING COMMITTEES

1775-1776

Accounts or Claims

25 September, 1775.		John Langdon Thomas Cushing Samuel Ward Silas Deane Francis Lewis Richard Smith Thomas Willing Cæsar Rodney Thomas Johnson Thomas Nelson Christopher Gadsden John Joachim Zubly
25 October, 1775.		Joseph Hewes
2 January, 1776.		Josiah Bartlett in place of Langdon
		Samuel Adams “ Cushing
19 January, 1776.		Oliver Wolcott “ Deane
		William Floyd “ Lewis
		Thomas McKean “ Rodney
		John Rogers “ Johnson
		Edward Rutledge “ Gadsden
4 March,		John Alsop “ Lewis
		William Whipple “ Bartlett

“That in case of the absence of any of the standing members of the Committee of Claims, the delegates of the colony to which he belongs be empowered to nominate one of their number to act in his stead of said standing member, untill his return.” *Journals*, 4 March, 1776.

Cannon

- 15 January, 1776. Henry Wisner
 Stephen Hopkins
 John Rogers
 Andrew Allen
 Robert Treat Paine
- 20 February, 1776. William Livingston
- 11 April, 1776. George Clinton
 William Whipple
- 18 July, 1776. Samuel Chase
 Thomas Heyward
- 24 December, 1776. Francis Lewis

Clothing

- 25 September, 1776. Josiah Bartlett.
 Robert Treat Paine
 William Ellery
 William Williams
 William Floyd
 Richard Stockton
 George Ross
 Thomas McKean
 William Paca
 George Wythe
 Joseph Hewes
 Arthur Middleton
 Lyman Hall
- 10 October, 1776. John Witherspoon in place of Stockton
 Thomas Stone “ Paca
 John Penn “ Middleton

*Correspondence (See Secret Committee)**Executive Committee at Philadelphia*

- 21 December, 1776. Robert Morris
 George Clymer
 George Walton

Indian Affairs

- 30 April, 1776. George Wythe
James Wilson
Oliver Wolcott
Lewis Morris
Edward Rutledge
- 16 May, 1776. James Duane
- 6 July, 1776. Thomas Jefferson in place of Wythe
Philip Livingston “ Morris
Samuel Huntington “ Wolcott

Intelligence

- 17 October, 1776. Benjamin Rush
Richard Henry Lee
Francis Hopkinson

Medicines

- 14 September, 1775. Eliphalet Dyer
Thomas Lynch
John Jay
John Adams
Francis Lewis
- 18 June, 1776. Thomas Heyward, Jr.
Lyman Hall
- 7 August, 1776. Benjamin Rush

Navy, or Marine

- 11 December, 1775. Josiah Bartlett
Samuel Adams
Stephen Hopkins
Silas Deane
Francis Lewis
Stephen Crane
Robert Morris
George Read
William Paea
Richard Henry Lee

Navy, or Marine—Continued

11 December, 1775.	Joseph Hewes		
	Christopher Gadsden		
	Button Gwinnett		
[?]			
6 March, 1776.	Samuel Huntington in place of Deane		
	Jonathan Dickinson Sergeant in place of Crane		
	Benjamin Harrison in place of Lee		
	Edward Rutledge	“	Gadsden
10 March, 1776.	William Whipple	“	Bartlett
20 May, 1776.	Arthur Middleton	“	Rutledge
18 June, 1776.	John Rogers	“	Paca
2 August, 1776.	George Walton	“	Gwinnett
11 October, 1776.	William Ellery	“	Hopkins

Prisoners

17 November, 1775.	Thomas Lynch
	Francis Lewis
	Andrew Allen
2 February, 1776.	Thomas McKean
	Richard Smith
	Henry Wisner

These two lists were combined into one committee, viz:

7 February, 1776.	Samuel Adams
	Thomas McKean
	Richard Smith
	James Wilson
	Oliver Wolcott
8 October, 1776.	Benjamin Rush
18 November, 1776.	William Hooper

Qualifications (or Applications)

8 December, 1775.	Josiah Bartlett
	Samuel Adams
	Samuel Ward
	Eliphalet Dyer
	John Jay
	William Livingston
	Andrew Allen

Qualifications (or Applications)—Continued.

- 8 December, 1775. Cæsar Rodney
Francis Lightfoot Lee
John Penn
Thomas Lynch
- 16 January, 1776. Oliver Wolcott in place of Dyer
James Duane in place of Jay
Thomas McKean “ Rodney
John Rogers
- 19 March, 1776. William Whipple “ Bartlett

Secret Committee

- 19 September, 1775. Thomas Willing
Benjamin Franklin
Philip Livingston
John Alsop
Silas Deane
John Dickinson [excused November 7]
John Langdon
Thomas McKean
Samuel Ward.
- 7 November, 1775. Francis Lewis
Josiah Bartlett
Archibald Bulloch
- 13 December, 1775. Robert Morris in place of Willing
- 16 January, 1776. Joseph Hewes } in place of two absent
Robert Alexander }
- 19 March, 1776. Richard Henry Lee in place of Bartlett
- 20 November, 1776. William Whipple in place of Bartlett

Secret Correspondence

- 29 November, 1775. Benjamin Harrison
Benjamin Franklin
Thomas Johnson, Jr.
John Dickinson
John Jay
- 30 January, 1776. Robert Morris
- 11 October, 1776. Richard Henry Lee
John Witherspoon
William Hooper

Treasury Committee or Board

- 17 February, 1776. James Duane
 Thomas Nelson
 Elbridge Gerry
 Richard Smith
 Thomas Willing
- 18 June, 1776. Joseph Hewes
 Thomas McKean
- 15 July, 1776. P. Livingston
 George Read
- 23 July, 1776. George Clymer in place of ?
- 23 September, 1776. William Hooper
 William Ellery
- 30 September, 1776. Francis Hopkinson
- 15 October, 1776. George Wythe
 James Smith

War and Ordnance, Board of

- 13 June, 1776. John Adams
 Roger Sherman
 Benjamin Harrison
 James Wilson
 Edward Rutledge
- 18 July, 1776. Charles Carroll
- 3 September, 1776. William Hooper
 Samuel Huntington
- 11 September, 1776. Francis Lightfoot Lee in place of Harrison
- 5 November, 1776. Benjamin Harrison

NOTES OF DEBATES IN THE CONTINENTAL
CONGRESS, BY JOHN ADAMS

1069

NOTES OF DEBATES

FEBRUARY 16, 1776

IN COMMITTEE OF THE WHOLE

Can't we oblige Britain to keep a navy on foot, the expense of which will be double to what they will take from us? I have heard of bullion Spanish flotas being stopped, lest they should be taken, but perishable commodities never were stopped. Open your ports to foreigners; your trade will become of so much consequence that foreigners will protect you.

Wilson. A gentleman from Massachusetts thinks that a middle way should be taken; that trade should be open for some articles, and to some places, but not for all things and to all places. I think the merchants ought to judge for themselves of the danger and risk. We should be blamed if we did not leave it to them. I differ from the gentleman of Massachusetts. Trade ought in war to be carried on with greater vigor. By what means did Britain carry on their triumphs last war? the United Provinces their war against Spain? If we determine that our ports shall not be opened, our vessels abroad will not return. Our seamen are all abroad; will not return unless we open our trade. I am afraid it will be necessary to invite foreigners to trade with us, although we lose a great advantage, that of trading in our own bottoms.

Sherman. I fear we shall maintain the armies of our enemies at our own expense with provisions. We can't carry on a beneficial trade, as our enemies will take our ships. A treaty with a foreign power is necessary, before we open our trade, to protect it.

Harrison. We have hobbled on under a fatal attachment to Great Britain. I felt it as much as any man, but I feel a stronger to my country.

Wythe. The ports will be open the 1st March. The question is whether we shall shut them up. *Faete Romuli non Republica Platonis.* Americans will hardly live without trade. It is said our trade

will be of advantage to us, because our vessels will be taken, our enemies will be supplied, the West Indies will be supplied at our expense. This is too true, unless we can provide a remedy. Our Virginia Convention have resolved, that our ports be opened to all nations that will trade with us, except Great Britain, Ireland, and West Indies. If the inclination of the people should become universal to trade, we must open our ports. Merchants will not export our produce, unless they get a profit.

We might get some of our produce to market, by authorizing adventurers to arm themselves, and giving letters of marque, make reprisals. 2d. By inviting foreign powers to make treaties of commerce with us.

But other things are to be considered, before such a measure is adopted; in what character shall we treat?—as subjects of Great Britain,—as rebels? Why should we be so fond of calling ourselves dutiful subjects? If we should offer our trade to the Court of France, would they take notice of it any more than if Bristol or Liverpool should offer theirs, while we profess to be subjects? No. We must declare ourselves a free people. If we were to tell them, that after a season, we would return to our subjection to Great Britain, would not a foreign Court wish to have something permanent? We should encourage our fleet. I am convinced that our fleet may become as formidable as we wish to make it. Moves a resolution.

Resolved, That the Committee of Secret Correspondence be directed to lay their letters before this Congress.

Resolved, That be a committee to prepare a draught of firm confederation, to be reported as soon as may be to this Congress, to be considered and digested and recommended to the several Assemblies and Conventions of these United Colonies, to be by them adopted, ratified, and confirmed.

Resolved, That it be recommended to the several Assemblies, Conventions, Councils of Safety, and Committees of Correspondence and Inspection, that they use their utmost endeavors, by all reasonable means, to promote the culture of flax, hemp, and cotton, and the growth of wool, in these United Colonies.

Resolved, That it be recommended to the Assemblies, Conventions and Councils of Safety, that they take the earliest measures for erecting, in each and every Colony, a society for the encouragement of agriculture, arts, manufactures, and commerce; and that a correspond-

ence be maintained between such societies, that the numerous natural advantages of this country, for supporting its inhabitants, may not be neglected.

Resolved, That it be recommended to the said Assemblies, Conventions, and Councils of Safety, that they consider of ways and means of introducing the manufactures of duck and sail-cloth into such Colonies where they are not now understood, and of increasing and promoting them where they are.

Resolved, That be a committee to receive all plans and proposals for encouraging and improving the agriculture, arts, manufactures, and commerce, both foreign and domestic, of America, to correspond with the several Assemblies, Conventions, Councils, and Committees of Safety, Committees of Correspondence and of Observation, in these United Colonies, upon these interesting subjects.

That these be published.¹

MARCH 1, 1776

How is the interest of France and Spain affected, by the dispute between Britain and the Colonies?

Is it the interest of France to stand neuter, to join with Britain, or to join with the Colonies? Is it not her interest to dismember the British empire? Will her dominions be safe, if Britain and America remain connected? Can she preserve her possessions in the West Indies? She has, in the West Indies, Martinico, Guadaloupe, and one half of Hispaniola. In case a reconciliation should take place between Britain and America, and a war should break out between Britain and France, would not all her islands be taken from her in six months? The Colonies are now much more warlike and powerful than they were during the last war. A martial spirit has seized all the Colonies. They are much improved in skill and discipline; they have now a large standing army; they have many good officers; they abound in provisions; they are in the neighborhood of the West Indies. A British fleet and army, united with an American fleet and army, and supplied with provisions and other necessaries from America, might conquer all the French Islands in the West Indies in six months, and a little more time than that would be required to destroy all their marine and commerce.

¹“Thursday, March 21. There are three resolutions which I claim.” John Adams, *Autobiography*. *Writings*, III, 36. See *Journals*, p. 224, *ante*.

MARCH 4, 1776

Monday. Resentment is a passion implanted by nature for the preservation of the individual. Injury is the object which excites it. Injustice, wrong, injury, excite the feeling of resentment as naturally and necessarily as frost and ice excite the feeling of cold, as fire excites heat, and as both excite pain. A man may have the faculty of concealing his resentment, or suppressing it, but he must and ought to feel it; nay, he ought to indulge it, to cultivate it; it is a duty. His person, his property, his liberty, his reputation, are not safe without it. He ought, for his own security and honor, and for the public good, to punish those who injure him, unless they repent, and then he should forgive, having satisfaction and compensation. Revenge is unlawful. It is the same with communities; they ought to resent and to punish.

Is any assistance attainable from France?

What connection may we safely form with her?

1. No political connection. Submit to none of her authority; receive no governors or officers from her.
2. No military connection. Receive no troops from her.
3. Only a commercial connection; that is, make a treaty to receive her ships into our ports; let her engage to receive our ships into her ports; furnish us with arms, cannon, saltpeter, powder, duck, steel.

Whereas the present state of America, and the cruel efforts of our enemies, render the most perfect and cordial union of the Colonies, and the utmost exertions of their strength, necessary for the preservation and establishment of their liberties, therefore,

Resolved, That it be recommended to the several Assemblies and Conventions of these United Colonies, who have limited the powers of their delegates in this Congress, by any express instructions, that they repeal or suspend those instructions for a certain time, that this Congress may have power, without any unnecessary obstruction or embarrassment, to concert, direct, and order such further measures as may seem to them necessary for the defence and preservation, support and establishment of right and liberty in these Colonies.

MAY 10, 1776

Mr. Duane moves that the delegation from New York might be read.

When we were invited by Massachusetts Bay to the first Congress, an objection was made to binding ourselves by votes of Congress.

Congress ought not to determine a point of this sort about instituting government. What is it to Congress how justice is administered? You have no right to pass the resolution, any more than Parliament has. How does it appear that no favorable answer is likely to be given to our petitions? Every account of foreign aid is accompanied with an account of commissioners. Why all this haste? why this urging? why this driving? Disputes about independence are in all the Colonies. What is this owing to but our indiscretion? I shall take the liberty of informing my constituents that I have not been guilty of a breach of trust. I do protest against this piece of mechanism, this preamble. If the facts in this preamble should prove to be true, there will not be one voice against independence. I suppose the votes have been numbered, and there is to be a majority.

McKean construes the instructions from New York as Mr. Sherman does, and thinks this measure the best to procure harmony with Great Britain. There are now two governments in direct opposition to each other. Don't doubt that foreign mercenaries are coming to destroy us. I do think we shall lose our liberties, properties, and lives too, if we do not take this step.

S. Adams. We have been favored with a reading of the instructions from New York; I am glad of it. The first object of that Colony is no doubt the establishment of their rights. Our petitions have not been heard, yet answered with fleets and armies, and are to be answered with myrmidons from abroad. The gentleman from New York, Mr. Duane, has not objected to the preamble, but this, that he has not a right to vote for it. We cannot go upon stronger reasons than that the King has thrown us out of his protection. Why should we support governments under his authority? I wonder that people have conducted so well as they have.

Mr. Wilson. Was not present in Congress when the resolution passed, to which this preamble is proposed. I was present, and one of the committee who reported the advice to Massachusetts Bay. New Hampshire, Carolina, and Virginia, had the same advice, and with my hearty concurrence.

The claim of Parliament will meet with resistance to the last extremity. Those Colonies were royal governments; they could not subsist without some government. A maxim, that all government originates from the people. We are the servants of the people, sent here to act under a delegated authority. If we exceed it, voluntarily, we deserve neither excuse nor justification. Some have been put

under restraints by their constituents; they cannot vote without transgressing this line. Suppose they should hereafter be called to an account for it. This Province has not, by any public act, authorized us to vote upon this question; this Province has done much and asked little from this Congress; the Assembly, largely increased, will (not) meet till next Monday. Will the cause suffer much, if this preamble is not published at this time? if the resolve is published without the preamble? The preamble contains a reflection upon the conduct of some people in America. It was equally irreconcilable to good conscience, nine months ago, to take the oaths of allegiance, as it is now. Two respectable members, last February, took the oath of allegiance in our Assembly. Why should we expose any gentlemen to such an invidious reflection? In Magna Charta there is a clause which authorizes the people to seize the King's castles and oppose his arms when he exceeds his duty.

In this Province, if that preamble passes, there will be an immediate dissolution of every kind of authority; the people will be instantly in a state of nature. Why then precipitate this measure? Before we are prepared to build the new house, why should we pull down the old one, and expose ourselves to all the inclemencies of the season?

R. H. Lee. Most of the arguments apply to the resolve, not to the preamble.¹

JULY 25, 1776

Confederation

IN COMMITTEE OF THE WHOLE.

Article 14 of the confederation. Terms in this Article equivocal and indefinite.

Jefferson. The limits of the Southern Colonies are fixed. Moves an amendment, that all purchases of lands, not within the boundaries of any Colony, shall be made by Congress of the Indians in a great Council.

Sherman seconds the motion.

Chase. The intention of this Article is very obvious and plain. The Article appears to me to be right, and the amendment wrong. It is the intention of some gentlemen to limit the boundaries of particular States. No Colony has a right to go to the South Sea; they never

¹ For some notes of debates and proceedings on the Declaration of Independence and Articles of Confederation, see p. , *post.*

had; they can't have. It would not be safe to the rest. It would be destructive to her sisters and to herself.

Article 15. *Jefferson*. What are reasonable limits? What security have we, that the Congress will not curtail the present settlements of the States? I have no doubt that the Colonies will limit themselves.

Wilson. Every gentleman has heard much of claims to the South Sea. They are extravagant. The grants were made upon mistakes. They were ignorant of the Geography. They thought the South Sea within one hundred miles of the Atlantic Ocean. It was not conceived that they extended three thousand miles. Lord Camden considers the claims to the South Sea, as what never can be reduced to practice. Pennsylvania has no right to interfere in those claims, but she has a right to say, that she will not confederate unless those claims are cut off. I wish the Colonies themselves would cut off those claims.

Article 16. *Chase* moves for the word *deputies*, instead of *delegates*, because the members of the Maryland Convention are called delegates, and he would have a distinction. *Answer*. In other Colonies the reverse is true. The members of the House are called deputies.

Jefferson. Objects to the first of November. *Dr. Hall* moves for May, for the time to meet. *Jefferson* thinks that Congress will have a short meeting in the Fall, and another in the Spring. *Heyward*. Thinks the Spring the best time. *Wilson*. Thinks the Fall, and November better than October; because September is a busy month everywhere. *Dr. Hall*. September and October the most sickly and mortal months in the year. The season is more forward in Georgia in April, than here in May.

Hopkinson moves that the power of recalling delegates be reserved to the State, not to the Assembly, because that may be changed.

Article 17. "Each Colony shall have one vote."¹

JULY 26, 1776

Rutledge and *Lynch* oppose giving the power of regulating the trade and managing all affairs of the Indians to Congress. The trade is profitable, they say. *Gwinnett* is in favor of Congress having such power. *Braxton* is for excepting such Indians as are tributary to any State. Several nations are tributary to Virginia. *Jefferson* explains

¹I believe that this line crept into the Adams's notes out of its proper position. *Jefferson* (p. 1102, *post*) shows that this article was debated on July 30 and 31, and August 1; and *Adams* (p. 1079, *post*) returns to the subject on July 30.

it to mean the Indians who live in the Colony. These are subject to the laws in some degree.

Wilson. We have no right over the Indians, whether within or without the real or pretended limits of any Colony. They will not allow themselves to be classed according to the bounds of Colonies. Grants made three thousand miles to the eastward, have no validity with the Indians. The trade of Pennsylvania has been more considerable with the Indians than that of the neighboring Colonies.

Walton. The Indian trade is of no essential service to any Colony. It must be a monopoly. If it is free, it produces jealousies and animosities and wars. Carolina, very passionately, considers this trade as contributing to her grandeur and dignity. Deerskins are a great part of the trade. A great difference between South Carolina and Georgia. Carolina is in no danger from the Indians at present. Georgia is a frontier and barrier to Carolina. Georgia must be overrun and extirpated before Carolina can be hurt. Georgia is not equal to the expense of giving the donations to the Indians, which will be necessary to keep them at peace. The emoluments of the trade are not a compensation for the expense of donations.

Rutledge differs from Walton in a variety of points. We must look forward with extensive views. Carolina has been run to an amazing expense to defend themselves against Indians; in 1760, &c., fifty thousand guineas were spent. We have now as many men on the frontiers, as in Charleston. We have forts in the Indian countries. We are connected with them by treaties.

Lynch. Congress may regulate the trade, if they will indemnify Carolina against the expense of keeping peace with the Indians, or defending us against them.

Witherspoon. Here are two adjacent provinces, situated alike with respect to the Indians, differing totally in their sentiments of their interests.

Chase. South Carolina claims to the South Sea; so does North, Virginia and Massachusetts Bay. South Carolina says they have a right to regulate the trade with the Indians; if so, four Colonies have all the power of regulating trade with the Indians. South Carolina could not stand alone against the Indian nations.

Sherman moves that Congress may have a superintending power, to prevent injustice to the Indians or Colonies.

Wilson. No lasting peace will be [made] with the Indians, unless made by some one body. No such language as this ought to be held

to the Indians. "We are stronger, we are better, we treat you better than another Colony." No power ought to treat with the Indians, but the United States. Indians know the striking benefits of confederation; they have an example of it in the union of the Six Nations. The idea of the union of the Colonies struck them forcibly last year. None should trade with Indians without a license from Congress. A perpetual war would be unavoidable, if everybody was allowed to trade with them.

Stone. This expedient is worse than either of the alternatives. What is the meaning of this superintendency? Colonies will claim the right first. Congress can't interpose until the evil has happened. Disputes will arise when Congress shall interpose.

JULY 30, 1776

Article 17. "In determining questions, each Colony shall have one vote."

*Dr. Franklin.*¹ Let the smaller Colonies give equal money and men, and then have an equal vote. But if they have an equal vote without bearing equal burthens, a confederation upon such iniquitous principles will never last long.

*Dr. Witherspoon.*² We all agree that there must and shall be a confederation, for this war. It will diminish the glory of our object, and depreciate our hope; it will damp the ardor of the people. The greatest danger we have, is of disunion among ourselves. Is it not plausible that the small States will be oppressed by the great ones? The Spartans and Helotes. The Romans and their dependents. Every Colony is a distinct person. States of Holland.

Clark. We must apply for pardons if we don't confederate.

Wilson. We should settle upon some plan of representation.

*Chase.*³ Moves that the word "white," should be inserted in the eleventh Article. The negroes are wealth. Numbers are not a certain rule of wealth. It is the best rule we can lay down. Negroes a species of property, personal estate. If negroes are taken into the computation of numbers to ascertain wealth, they ought to be, in settling the representation. The Massachusetts fisheries, and navigation, ought to be taken into consideration. The young and old negroes are

¹ Jefferson gives notes of these remarks, p. 1102, *post*.

² Jefferson gives notes of these remarks, p. 1103, *post*.

³ Jefferson gives notes of these remarks, p. 1099, *post*.

a burthen to their owners. The eastern Colonies have a great advantage in trade. This will give them a superiority. We shall be governed by our interests, and ought to be. If I am satisfied in the rule of levying and appropriating money, I am willing the small Colonies should have a vote.¹

Wilson. If the war continues two years, each soul will have forty dollars to pay of the public debt. It will be the greatest encouragement to continue slavekeeping, and to increase it, that can be, to exempt them from the numbers which are to vote and pay. Slaves are taxables in the Southern Colonies. It will be partial and unequal. Some Colonies have as many black as white; these will not pay more than half what they ought. Slaves prevent freemen from cultivating a country. It is attended with many inconveniences.²

Lynch. If it is debated, whether their slaves are their property, there is an end of the confederation. Our slaves being our property, why should they be taxed more than the land, sheep, cattle, horses, &c.?

Freemen cannot be got to work in our Colonies; it is not in the ability or inclination of freemen to do the work that the negroes do. Carolina has taxed their negroes; so have other Colonies their lands.

Dr. Franklin. Slaves rather weaken than strengthen the State, and there is therefore some difference between them and sheep; sheep will never make any insurrections.

Rutledge. I shall be happy to get rid of the idea of slavery. The slaves do not signify property; the old and young cannot work. The property of some Colonies is to be taxed, in others, not. The Eastern Colonies will become the carriers for the Southern; they will obtain wealth for which they will not be taxed.

AUGUST 1, 1776

Hooper. North Carolina is a striking exception to the general rule that was laid down yesterday, that the riches of a country are in proportion to the numbers of inhabitants. A gentleman of three or four hundred negroes don't raise more corn than feeds them. A laborer can't be hired for less than twenty-four pounds a year in Massachusetts Bay. The net profit of a negro is not more than five or six pounds per annum. I wish to see the day that slaves are not necessary.

¹ Jefferson gives remarks of John Adams and Benjamin Harrison, p. 1099, *post*.

² Jefferson's notes of Wilson's remarks are more full, and he adds some remarks by Robert Treat Paine and John Witherspoon. See p. 1101, *post*.

Whites and negroes cannot work together. Negroes are goods and chattels, are property. A negro works under the impulse of fear, has no care of his master's interest.¹

The Consideration of the Seventeenth Article, resumed

Article 17. *Dr. Franklin* moves that votes should be in proportion to numbers. *Mr. Middleton* moves that the vote should be according to what they pay.

Sherman thinks we ought not to vote according to numbers. We are representatives of States, not individuals. States of Holland. The consent of everyone is necessary. Three Colonies would govern the whole, but would not have a majority of strength to carry those votes into execution. The vote should be taken two ways; call the Colonies, and call the individuals, and have a majority of both.

*Dr. Rush.*² Abbé Raynal has attributed the ruin of the United Provinces to three causes. The principal one is, that the consent of every State is necessary; the other, that the members are obliged to consult their constituents upon all occasions. We lose an equal representation; we represent the people. It will tend to keep up colonial distinctions. We are now a new nation. Our trade, language, customs, manners, don't differ more than they do in Great Britain. The more a man aims at serving America, the more he serves his Colony. It will promote factions in Congress and in the States; it will prevent the growth of freedom in America; we shall be loth to admit new Colonies into the confederation. If we vote by numbers, liberty will be always safe. Massachusetts is contiguous to two small Colonies, Rhode Island and New Hampshire; Pennsylvania is near New Jersey and Delaware; Virginia is between Maryland and North Carolina. We have been too free with the word independence; we are dependent on each other, not totally independent States. Montesquieu pronounces the confederation of Lycia, the best that ever was made; the cities had different weights in the scale. China is not larger than one of our Colonies; how populous! It is said that the small Colonies deposit their all; this is deceiving us with a word. I would not have it understood that I am pleading the cause of Pennsylvania; when I entered that door, I considered myself a citizen of America.

¹Jefferson gives the vote on this article, p. 1102, *post*.

²Jefferson made more full notes of Rush's remarks, p. 1104, *post*.

Dr. Witherspoon. Representation in England is unequal. Must I have three votes in a county, because I have three times as much money as my neighbor? Congress are to determine the limits of Colonies.

S. Hopkins. A momentous question; many difficulties on each side; four larger, five lesser, four stand indifferent. Virginia, Massachusetts, Pennsylvania, Maryland, make more than half the people.

Connecticut, New York, two Carolinas, not concerned at all. The disinterested coolness of these Colonies ought to determine. I can easily feel the reasoning of the larger Colonies; pleasing theories always gave way to the prejudices, passions, and interests of mankind. The Germanic Confederation. The King of Prussia has an equal vote. The Helvetic confederacy. It can't be expected that nine Colonies will give way to be governed by four. The safety of the whole depends upon the distinctions of Colonies.

Dr. Franklin. I hear many ingenious arguments to persuade us that an unequal representation is a very good thing. If we had been born and bred under an unequal representation, we might bear it; but to set out with an unequal representation, is unreasonable. It is said the great Colonies will swallow up the less. Scotland said the same thing at the union.

Dr. Witherspoon rises to explain a few circumstances relating to Scotland; that was an incorporating union, not a federal; the nobility and gentry resort to England.

In determining all questions, each State shall have a weight, in proportion to what it contributes to the public expenses of the United States.¹

AUGUST 2, 1776

“Limiting the bounds of States, which by charter, &c. extend to the South Sea.”

Sherman thinks the bounds ought to be settled. A majority of States have no claim to the South Sea. Moves this amendment to be substituted in place of this clause, and also instead of the fifteenth article;—“No lands to be separated from any State, which are already settled, or become private property.”

Chase denies that any Colony has a right to go to the South Sea.

Harrison. How came Maryland by its land, but by its charter? By its charter, Virginia owns to the South Sea. Gentlemen shall not pare

¹Jefferson gives notes of remarks by Wilson, p. 1105, *post*.

away the Colony of Virginia. Rhode Island has more generosity than to wish the Massachusetts pared away. Delaware does not wish to pare away Pennsylvania.

Huntington. Admit there is danger from Virginia, does it follow that Congress has a right to limit her bounds? The consequence is, not to enter into confederation. But as to the question of right, we all unite against mutilating charters. I can't agree to the principle. We are a spectacle to all Europe. I am not so much alarmed at the danger from Virginia as some are; my fears are not alarmed; they have acted as noble a part as any. I doubt not the wisdom of Virginia will limit themselves. A man's right does not cease to be a right, because it is large; the question of right must be determined by the principles of the common law.

Stone. This argument is taken up upon very wrong ground. It is considered as if we were voting away the territory of particular Colonies, and gentlemen work themselves up into warmth upon that supposition. Suppose Virginia should. The small Colonies have a right to happiness and security; they would have no safety if the great Colonies were not limited. We shall grant lands, in small quantities, without rent or tribute or purchase-money. It is said that Virginia is attacked on every side. Is it meant that Virginia shall sell the lands for their own emolument? All the Colonies have defended these lands against the King of Britain, and at the expense of all. Does Virginia intend to establish quit rents? I don't mean that the United States shall sell them, to get money by them.

Jefferson. I protest against the right of Congress to decide upon the right of Virginia. Virginia has released all claims to the land settled by Maryland, &c.

NOTES OF DEBATES IN THE CONTINENTAL
CONGRESS, BY THOMAS JEFFERSON

1085

NOTES OF DEBATES¹

*Furnished to J[ames] M[adison] by Mr Jefferson in his hand writing;
as a copy from his original notes*

IN CONGRESS, *Friday, June 7, 1776.*

The delegates from Virginia moved in obedience to instructions from their constituents that the Congress should declare that these United colonies are and of right ought to be free and independent states, that they are absolved from all obedience² to the British crown, and that all political connection between them and the state of Great Britain is and ought to be totally dissolved: that measures should be immediately taken for procuring the assistance of foreign powers, and a Confederation be formed to bind the colonies more closely together.

The house being obliged to attend at that time to some other business, the proposition was referred to the next day when the members were ordered to attend punctually at ten o'clock.

Saturday June 8th they proceeded to take it into Consideration, and referred it to a Committee of the whole, into which they immediately resolved themselves, and passed that day and Monday the 10th in debating on the subject.

It was argued by [James] Wilson, Robert R. Livingston, E. Rutledge, [John] Dickinson and others

That tho they were friends to the measures themselves, and saw the impossibility that we should ever again be united with Great Britain, yet they were against adopting them at this time:

That the conduct we had formerly observed was wise and proper now, of deferring to take any capital step till the voice of the people drove us into it:

¹From the original MS. in the *Madison Papers*, in the Library of Congress. This is a copy of a paper in the *Jefferson Collection*, Fifth Series, Vol. III, which I shall call the "original notes." Some few variations are found and noted.

²The original notes use the word "allegiance."

That they were our power and without them our declarations could not be carried into effect:

That the people of the middle colonies (Maryland, Delaware, Pennsylvania, the Jersies and N. York) were not yet ripe for bidding adieu to British connection; but that they were fast ripening, and in a short time would join in the general voice of America:

That the resolution entered into by this house on the 15th of May, for suppressing the exercise of all powers derived from the crown, had shewn, by the ferment into which it had thrown these middle colonies that they had not yet accomodated their minds to a separation from the mother country.

That some of them had expressly forbidden their delegates to consent to such a declaration, and others had given no instructions, and consequently no powers to give such consent:

That if the delegates of any particular colony had no power to declare such colony independant, certain they were the others could not declare it for them; the colonies being as yet perfectly independant of each other:

That the assembly of Pennsylvania was now sitting above stairs, their convention would sit within a few days, the convention of New York was now sitting, and those of the Jersies and Delaware counties would meet on the Monday following, and it was probable these bodies would take up the question of Independance, and would declare to their delegates the voice of their state:

That if such a declaration should now be agreed to, these delegates must retire and possibly their colonies might secede from the Union:

That such a secession would weaken us more than could be compensated by any foreign alliance:

That in the event of such a division foreign powers would either refuse to join themselves to our fortunes, or having us so much in their power as that desperate declaration would place us they would insist on terms proportionably more hard and prejudicial:

That we had little reason to expect an alliance with those to whom alone as yet we had cast our eyes:

That France and Spain had reason to be jealous of that rising power which would one day certainly strip them of all their American possessions:

That it was more likely they should form a connection with the British court, who, if they should find themselves unable otherwise to extricate themselves from their difficulties, would agree to a partition

of our territories, restoring Canada to France, and the Floridas to Spain, to accomplish for themselves a recovery of these colonies:

That it would not be long before we should receive certain information of the disposition of the French court, from the agent whom we had sent to Paris for that purpose.

That if this disposition should be favourable, by waiting the event of the present campaign, which we all hoped would be successful, we should have reason to expect an alliance on better terms:

That this would in fact work no delay of any effectual aid from such ally, as, from the advance of the season, and distance of our situation, it was impossible we could receive any assistance during this campaign:

That it was prudent to fix among ourselves the terms on which we would form alliance, before we declared we would form one at all events:

And that if these were agreed on and our Declaration of Independance ready by the time our Ambassador should be ready¹ to sail, it would be as well as to go into that Declaration at this day.

On the other side it was urged by J. Adams, Lee, Wythe and others

That no gentleman had argued against the policy or the right of separation from Britain, nor had supposed it possible we should ever renew our connection; that they had only opposed it's being now declared:

That the question was not whether, by a declaration of Independance, we should make ourselves what we are not; but whether we should declare a fact which already exists:

That as to the people or parliament of England, we had always been independant of them, their restraints on our trade deriving efficacy from our acquiescence only, and not from any rights they possessed of imposing them, and that so far our connection had been federal only, and was now dissolved by the commencement of hostilities:

That as to the king, we had been bound to him by allegiance, but that this bond was now dissolved by his assent to the late act of parliament, by which he declares us out of his protection, and by his levying war on us, a fact which had long ago proved us out of his protection; it being a certain position in law that allegiance and protection are reciprocal, the one ceasing when the other is withdrawn:

That James the II^d never declared the people of England out of his protection; yet his actions proved it, and the parliament declared it:

¹The original notes use the word "prepared."

No delegates then can be denied, or ever want a power of declaring an existent truth:

That the delegates from the Delaware counties having declared their constituents ready to join, there are only two colonies Pennsylvania and Maryland, whose delegates are absolutely tied up, and that these had by their instructions only reserved a right of confirming or rejecting the measure:

That the instructions from Pennsylvania might be accounted for from the times in which they were drawn, near a twelvemonth ago, since which the face of affairs has totally changed:

That within that time it had become apparent that Britain was determined to accept nothing less than a *carte blanche*, and that the king's answer to the Lord Mayor, Aldermen and common council of London, which had come to hand four days ago, must have satisfied every one of this point:

That the people wait for us to lead the way:

That *they* are in favor of the measure, tho' the instructions given by some of their *representatives* are not:

That the voice of the representatives is not always consonant with the voice of the people, and that this is remarkably the case in these middle colonies:

That the effect of the resolution of the 15th of May has proved this, which, raising the murmurs of some in the colonies of Pennsylvania and Maryland, called forth the opposing voice of the freer part of the people, and proved them to be the majority, even in these colonies:

That the backwardness of these two colonies might be ascribed partly to the influence of proprietary power and connections, and partly to their having not yet been attacked by the enemy:

That these causes were not likely to be soon removed, as there seemed no probability that the enemy would make either of these the seat of this summer's war:

That it would be vain to wait either weeks or months for perfect unanimity, since it was impossible that all men should ever become of one sentiment on any question:

That the conduct of some colonies, from the beginning of this contest, had given reason to suspect it was their settled policy to keep in the rear of the confederacy, that their particular prospect might be better, even in the worst event:

That therefore it was necessary for those colonies who had thrown

themselves forward and hazarded all from the beginning, to come forward now also, and put all again to their own hazard:

That the history of the Dutch revolution, of whom three states only confederated at first proved that a secession of some colonies would not be so dangerous as some apprehended:

That a declaration of Independance alone could render it consistent with European delicacy for European powers to treat with us, or even to receive an Ambassador from us:

That till this they would not receive our vessels into their ports, nor acknowledge the adjudications of our courts of Admiralty to be legitimate, in cases of capture of British vessels:

That tho' France and Spain may be jealous of our rising power, they must think it will be much more formidable with the addition of Great Britain; and will therefore see it their interest to prevent a coalition; but should they refuse, we shall be but where we are; whereas without trying we shall never know whether they will aid us or not:

That the present campaign may be unsuccessful, and therefore we had better propose an alliance while our affairs wear a hopeful aspect:

That to wait the event of this campaign will certainly work delay, because during this summer France may assist us effectually by cutting off those supplies of provisions from England and Ireland on which the enemy's armies here are to depend; or by setting in motion the great power they have collected in the West Indies, and calling our enemy to the defence of the possessions they have there:

That it would be idle to lose time in settling the terms of alliance, till we had first determined we would enter into alliance:

That it is necessary to lose no time in opening a trade for our people, who will want clothes, and will want money too for the payment of taxes:

And that the only misfortune is that we did not enter into alliance with France six months sooner, as, besides opening their ports for the vent of our last year's produce, they might have marched an army into Germany and prevented the petty princes there from selling their unhappy subjects to subdue us.

It appearing in the course of these debates that the colonies of N. York, N. Jersey Pennsylvania, Delaware and Maryland¹ were not yet matured for falling from the parent stem, but that they were fast advancing to that state, it was thought most prudent to wait a while

¹The original notes have inscribed "and South Carolina."

for them, and to postpone the final decision to July 1. but that this might occasion as little delay as possible, a committee was appointed to prepare a declaration of independance. the commee were J. Adams, D^r Franklin, Roger Sherman, Robert R. Livingston and myself. committees were also appointed at the same time to prepare a plan of confederation for the colonies, and to state the terms proper to be proposed for foreign alliance. the committee for drawing the declaration of independance desired me to do it. it was accordingly done, and being approved by them, I reported it to the house on Friday the 28th of June when it was read and ordered to lie on the table. On Monday the 1st of July the house resolved itself into a committee of the whole and resumed the consideration of the original motion made by the delegates of Virginia, which being again debated through the day, was carried in the affirmative by the votes of N. Hampshire, Connecticut, Massachusetts, Rhode island, N. Jersey, Maryland, Virginia, N. Carolina, and Georgia. S. Carolina and Pennsylvania voted against it. Delaware having but two members present they were divided: the delegates for N. York declared they were for it themselves, and were assured their constituents were for it, but that their instructions, having been drawn near a twelvemonth before, when reconciliation was still the general object, they were enjoined by them to do nothing which should impede that object. they therefore thought themselves not justifiable in voting on either side, and asked leave to withdraw from the question, which was given them. the commee rose and reported their resolution to the house. Mr Rutlege of S. Carolina then requested the determination might be put off to the next day, as he believed his collegues, tho they disapproved of the resolution, would then join in it for the sake of unanimity. the ultimate question whether the house would agree to the resolution of the commee, was accordingly postponed to the next day, when it was again moved and S. Carolina concurred in voting for it. in the mean time a third member had come post from the Delaware counties and turned the vote of that colony in favour of the resolution. members of a different sentiment attending that morning from Pennsylvania also, their vote was changed, so that the whole 12 colonies, who were authorized to vote at all, gave their voices for it; and within a few days the convention of N. York approved of it, and thus supplied the void occasioned by the withdrawing of their delegates from the vote.

Congress proceeded the same day to consider the declaration of Independance, which had been reported and laid on the table the Friday

preceding, and on Monday referred to a commœ of the whole. the pusillanimous idea that we had friends in England worth keeping terms with still haunted the minds of many. for this reason those passages which conveyed censures on the people of England were struck out lest they should give them offence. the clause too reprobating the enslaving the inhabitants of Africa was struck out in complaisance to S. Carolina and Georgia, who had never attempted to restrain the importation of slaves, and who on the contrary still wished to continue it. our Northern brethren also, I believe, felt a little tender under those censures; for tho' their people have very few slaves themselves, yet they had been pretty considerable carriers of them to others. the debates having taken up the greater parts of the 2^d, 3^d and 4th days of July, were, in the evening of the last, closed; the declaration was reported by the commœ, agreed to by the house; and signed by every member¹ except mr Dickinson. as the sentiments of men are known not only by what they receive, but what they reject also, I will state the form of the declaration as originally reported. the parts struck out by Congress shall be distinguished by a black line drawn under them;² and those inserted by them shall be placed in the margin³ or in a concurrent column.

*A Declaration by the representatives of the United States of America
in [General] Congress assembled*

When in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station, to which the laws of nature and of nature's god entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self evident. that all men are created equal; that they are endowed by their creator with **certain inherent and** inalienable rights; that among these are life, liberty and the pursuit of happiness: that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of govern-

¹The original notes here insert the word "present."

²In the print these words are in italics.

³In the print these words are in black-face type.

ment becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying it's foundation on such principles, and organising it's powers in such form, as to them shall seem most likely to effect their safety and happiness. prudence indeed will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. but when a long train of abuses and usurpations *begun at a distinguished period and* pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government, and to provide new guards for their future security. such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to **alter** *expunge* their former systems of government. the history of the present king of Great Britain is a history of **repeated** *unremitting* injuries and usurpations *among which appears no solitary fact to contradict the uniform tenor of the rest, but all have* **all having** in direct object the establishment of an absolute tyranny over these states. to prove this let facts be submitted to a candid world, *for the truth of which we pledge a faith yet unsullied by falsehood.*

he has refused his assent to laws the most wholesome and necessary for the public good.

he has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

he has refused to pass other laws for the accomodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

he has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

he has dissolved representative houses repeatedly *and continually* for opposing with manly firmness his invasions on the rights of the people.

he has refused for a long time after such dissolutions to cause others to be elected, whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise, the state remaining in the mean time exposed to all the dangers of invasions from without and convulsions within.

he has endeavored to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

he has **obstructed** *suffered* the administration of justice *totally to cease in some of these states* **by** refusing his assent to laws for establishing judiciary powers.

he has made *our* judges dependant on his will alone for the tenure of their offices, and the amount and payment of their salaries.

he has erected a multitude of new offices *by a self assumed power* and sent hither swarms of new officers to harrass our people and eat out their substance

he has kept among us in times of peace standing armies *and ships of war* without the consent of our legislatures.

he has affected to render the military independant of and superior to the civil power.

he has combined with others to subject us to a jurisdiction foreign to our constitutions and unacknowledged by our laws; giving his assent to their acts of pretended legislation for quartering large bodies of armed troops among us; for protecting them by a mock-trial from punishment for any murders which they should commit on the inhabitants of these states; for cutting off our trade with all parts of the world; for imposing taxes on us without our consent; for depriving us **in many cases** of the benefits of trial by jury; for transporting us beyond seas to be tried for pretended offences; for abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging it's boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these **colonies states**; for taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments; for suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

he has abdicated government here **by declaring us out of his protection and waging war against us.** *withdrawing his governors and declaring us out of his allegiance and protection*

he has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

he is at this time transporting large armies of foreign mercenaries to compleat the works of death, desolation and tyranny already begun with circumstances of cruelty and perfidy **scarcely paralleled in the most barbarous ages, and totally unworthy** the head of a civilized nation.

he has constrained our fellow citizens taken captive on the high seas to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

he has **excited domestic insurrections among us, and has** endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions of existence.

he has incited treasonable insurrections of our fellow-citizens with the allurements of forfeiture and confiscation of our property.

he has waged cruel war against human nature itself, violating it's most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. this piratical warfare, the opprobrium of infidel powers, is the warfare of the Christian king of Great Britain. determined to keep open a market where Men should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce. and that this assemblage of horrors might want no fact of distinguished die, he is now exciting those very people to rise in arms among us, and to purchase that liberty of which he has deprived them, by murdering the people on whom he also obtruded them: thus paying off former crimes committed against the liberties of one people, with crimes which he urges them to commit against the lives of another.

In every stage of these oppressions we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injuries. a prince whose char-

acter is thus marked by every act which may define a tyrant, is unfit to be the ruler of a **free** people *who mean to be free*. *future ages will scarcely believe that the hardiness of one man adventured, within the short compass of twelve years only, to lay a foundation so broad and so undisguised for tyranny over a people fostered and fixed in principles of freedom.*

Nor have we been wanting in attentions to our British brethren. we have warned them from time to time of attempts by their legislature to extend **an unwarrantable** a jurisdiction over **us**. *these our states*. we have reminded them of the circumstances of our emigration and settlement here *no one of which could warrant so strange a pretension*. *that these were effected at the expence of our own blood and treasure, unassisted by the wealth or the strength of Great Britain: that in constituting indeed our several forms of government, we had adopted one common king, thereby laying a foundation for perpetual league and amity with them: but that submission to their parliament was no part of our constitution, nor ever in idea, if history may be credited: and we have appealed to their native justice and magnanimity **and we have conjured them by** as well as to the ties of our common kindred to disavow these usurpations which **would inevitably** were likely to interrupt our connection and correspondence.* they too have been deaf to the voice of justice and of consanguinity, *and when occasions have been given them, by the regular course of their laws, of removing from their councils the disturbers of our harmony they have, by their free election, re-established them in power.* at this very time too they are permitting their chief magistrate to send over not only souldiers of our common blood, but Scotch and foreign mercenaries to invade and destroy us. *These facts have given the last stab to agonizing affection, and manly spirit bids us to renounce for ever these unfeeling brethren.* we must endeavor to forget our former love for them, and to hold them as we hold the rest of mankind, enemies in war, in peace friends. we might have been a free and a great people together; but a communication of grandeur and of freedom it seems is below their dignity. be it so, since they will have it. the road to happiness and to glory is open to us too. we will tread it apart from them, and **we must therefore** acquiesce in the necessity which denounces our *eternal* separation! **and hold them as we hold the rest of mankind, enemies in war, in peace friends.**

We therefore the representatives of the United states of America in General Congress assembled

do in the name and by authority of the good people of these *states* *reject and renounce all allegiance and subjection to the kings of Great Britain and all others who may hereafter claim by, through, or under them: we utterly dissolve all political connection which may heretofore have subsisted between us, and the people or parliament of Great Britain: and finally we do assert and declare these colonies to be free and independant states*

appealing to the supreme judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies solemnly publish and declare that these United colonies are and of right ought to be free and independant states; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is and ought to be totally dissolved;

and that as free and independant states they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independant states may of right do. and for the support of this declaration **with a firm reliance on the protection of divine providence** we mutually pledge to each other our lives, our fortunes and our sacred honor.

On Friday July 12. the committee appointed to draw the articles of Confederation reported them, and on the 22^d the house resolved themselves into a commẽe to take them into consideration.¹ on the 30th and 31st of that month and 1st of the ensuing, those articles were debated which determined the proportion or quota of money which each state should furnish to the common treasury and the manner of voting in Congress. the first of these articles was expressed in the original draught in these words. 'Art. XI. all charges of war and all other expences that shall be incurred for the common defence, or general welfare, and allowed by the United states assembled, shall be defrayed out of a common treasury, which shall be supplied by the several colonies in proportion to the number of inhabitants of every age, sex and quality, except Indians not paying taxes in each colony,

¹ Adams gives notes of a debate on July 25 and 26, on p. 1076, *ante*.

a true account of which, distinguishing the white inhabitants, shall be triennially taken and transmitted to the assembly of the United states.'

Mr Chase¹ moved that the quotas should be fixed, not by the number of inhabitants of every condition, but by that of the 'white inhabitants.' he admitted that taxation should be always in proportion to property; that this was in theory the true rule, but that from a variety of difficulties it was a rule which could never be adopted in practice. the value of the property in every state could never be estimated justly and equally. some other measure for the wealth of the state must therefore be devised, some standard referred to which would be more simple. he considered the number of inhabitants as a tolerably good criterion of property, and that this might always be obtained. he therefore thought it the best mode which we could adopt, with one exception only. he observed that negroes are property, and as such cannot be distinguished from the lands or personalties held in those states where there are few slaves. that the surplus of profit which a Northern farmer is able to lay by, he invests in cattle, horses &c. whereas a Southern farmer lays out that same surplus in slaves. there is no more reason therefore for taxing the Southern states on the farmer's head, and on his slave's head, than the Northern ones on their farmers' heads and the heads of their cattle. that the method proposed would therefore tax the Southern states according to their numbers and their wealth conjunctly, while the Northern would be taxed on numbers only: that negroes in fact should not be considered as members of the state, more than cattle, and that they have no more interest in it.

Mr John Adams observed that the numbers of people were taken by this article as an index of the wealth of the state and not as subjects of taxation. that as to this matter it was of no consequence by what name you called your people whether by that of freemen or of slaves. that in some countries the labouring poor were called freemen, in others they were called slaves: but that the difference as to the state was imaginary only. what matters it whether a landlord, employing ten laborers in his farm, gives them annually as much money as will buy them the necessaries of life, or gives them those necessaries at short hand. the ten labourers add as much wealth annually to the state, increase it's exports as much in the one case as the other. certainly 500 freemen produce no more profits, no greater surplus for

¹Adams gives notes on this speech, and shows that it was made on July 30. See p. 1079, *ante*.

the payment of taxes than 500 slaves. therefore the state in which are the labourers called freemen should be taxed no more than that in which are those called slaves. suppose by any extraordinary operation of nature or of law, one half the labourers of a state could in the course of one night be transformed into slaves: would the state be made the poorer or the less able to pay taxes? that the condition of the labouring poor in most countries, that of the fishermen particularly of the Northern states is as abject as that of slaves. it is the number of labourers which produce the surplus for taxation, and numbers therefore indiscriminately are the fair index of wealth. that it is the use of the word 'property' here, and it's application to some of the people of the state, which produces the fallacy. how does the Southern farmer procure slaves? either by importation or by purchase from his neighbor. if he imports a slave, he adds one to the number of labourers in his country, and proportionably to it's profits and abilities to pay taxes. if he buys from his neighbor, it is only a transfer of a labourer from one farm to another, which does not change the annual produce of the state, and therefore should not change it's tax. that if a Northern farmer works ten labourers on his farm, he can it is true, invest the surplus of ten mens' labour in cattle: but so may the Southern farmer working ten slaves. that a state of 100,000 freemen can maintain no more cattle than one of 100,000 slaves. therefore they have no more of that kind of property. that a slave may indeed from the custom of speech be more properly called the wealth of his master, than the free labourer might be called the wealth of his employer: but as to the state both were equally it's wealth, and should therefore equally add to the quota of it's tax.

Mr Harrison proposed a compromise, that two slaves should be counted as one freeman. he affirmed that slaves did not do so much work as freemen, and doubted if two effected more than one. that this was proved by the price of labor, the hire of a labourer in the Southern colonies being from 8. to 12 £, while in the Northern it was generally 24 £.

Mr Wilson said that if this amendment should take place the Southern colonies would have all the benefit of slaves, whilst the Northern ones would bear the burthen. that slaves increase the profits of a state, which the Southern states mean to take to themselves; that they also increase the burthen of defence, which would of course fall so much the heavier on the Northern. that slaves occupy the places of freemen and eat their food. dismiss your slaves and freemen will take

their places. it is our duty to lay every discouragement on the importation of slaves: but this amendment would give the *ius trium liberorum* to him who would import slaves. that other kinds of property were pretty equally distributed thro' all the colonies: there were as many cattle, horses, and sheep in the North as the South, and South as the North: but not so as to slaves. that experience has shewn that those colonies have been always able to pay most which have the most inhabitants, whether they be black or white. and the praetice of the Southern colonies has always been to make every farmer pay poll taxes upon all his labourers whether they be black or white. he acknowledges indeed that freemen work the most; but they consume the most also. they do not produce a greater surplus for taxation. the slave is neither fed nor clothed so expensively as a freeman. again white women are exempted from labour generally, which negro women are not. in this then the Southern states have an advantage as the article now stands. it has sometimes been said that slavery is necessary because the commodities they raise would be too dear for market if cultivated by freemen; but now it is said that the labour of the slave is the dearest.

Mr Payne urged the original resolution of Congress, to proportion the quotas of the states to the number of souls.

D^r Witherspoon was of opinion that the value of lands and houses was the best estimate of the wealth of a nation, and that it was practicable to obtain such a valuation. this is the true barometer of wealth. the one now proposed is imperfect in itself and unequal between the states. it has been objected that negroes eat the food of freemen, and therefore should be taxed. horses also eat the food of freemen; therefore they also should be taxed. it has been said too that in carrying slaves into the estimate of the taxes the state is to pay, we do no more than those states themselves do who always take slaves into the estimate of the taxes the individual is to pay. but the cases are not parallel. in the Southern colonies slaves pervade the whole colony; but they do not pervade the whole continent. that as to the original resolution of Congress,¹ it was temporary only, and related to the monies heretofore emitted: whereas we are now entering into a new compact and therefore stand on original ground.²

¹The original notes here inserted, "to proportion the quotas according to the souls."

²Adams gives some remarks by Thomas Lynch, Benjamin Franklin, and Edward Rutledge. See p. 1080, *ante*. Also remarks on trade and the Indians.

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the question being put, the amendment proposed was rejected by the votes of N. Hampshire, Massachusetts, Rhode island, Connecticut, N. York, N. Jersey, and Pennsylvania, against those of Delaware, Maryland, Virginia, North and South Carolina. Georgia was divided.

The other article was in these words.

‘ART. XVII. In determining questions each colony shall have one vote.’

July 30. 31. Aug. 1. present 41 members. Mr Chase observed that this article was the most likely to divide us of any one proposed in the draught then under consideration. that the larger colonies had threatened they would not confederate at all if their weight in Congress should not be equal to the numbers of people they added to the confederacy; while the smaller ones declared against a union if they did not retain an equal vote for the protection of their rights. that it was of the utmost consequence to bring the parties together, as should we sever from each other, either no foreign power will ally with us at all, or the different states will form different alliances, and thus increase the horrors of those scenes of civil war and bloodshed which in such a state of separation and independance would render us a miserable people. that our importance, our interests, our peace required that we should confederate, and that mutual sacrifices should be made to effect a compromise of this difficult question. he was of opinion the smaller colonies would lose their rights, if they were not in some instances allowed an equal vote, and therefore that a discrimination should take place among the questions which would come before Congress. that the smaller states should be secured in all questions concerning life or liberty, and the greater ones in all respecting property. he therefore proposed that in votes relating to money, the voice of each colony should be proportioned to the number of it's inhabitants.

D^r Franklin thought that the votes should be so proportioned in all cases. he took notice that the Delaware counties had bound up their delegates to disagree to this article. he thought it a very extraordinary language to be held by any state, that they would not confederate with us unless we would let them dispose of our money. certainly if we vote equally we ought to pay equally: but the smaller states will hardly purchase the privilege at this price. that had he lived in a state where the representation, originally equal, had become unequal by time and accident, he might have submitted rather than disturb

government: but that we should be very wrong to set out in this practice when it is in our power to establish what is right. that at the time of the union between England and Scotland the latter had made the objection which the smaller states now do. but experience had proved that no unfairness had ever been shewn them. that their advocates had prognosticated that it would again happen as in times of old that the whale would swallow Jonas: but he thought the prediction reversed in event and that Jonas had swallowed the whale, for the Scotch had in fact got possession of the government and gave laws to the English. he reprobated the original agreement of Congress to vote by colonies, and therefore was for their voting in all cases according to the number of taxables.

D^r Witherspoon opposed every alteration of the article. all men admit that a confederacy is necessary. should the idea get abroad that there is likely to be no Union among us, it will damp the minds of the people, diminish the glory of our struggle, and lessen it's importance: because it will open to our view future prospects of war and dissension among ourselves. if an equal vote be refused, the smaller states will become vassals to the larger; and all experience has shewn that the vassals and subjects of free states are the most enslaved. he instanced the Helots of Sparta, and the provinces of Rome. he observed that foreign powers discovering this blemish would make it a handle for disengaging the smaller states from so unequal a confederacy. that the colonies should in fact be considered as individuals; and that as such in all disputes they should have an equal vote. that they are now collected as individuals making a bargain with each other, and of course had a right to vote as individuals. that in the East India company they voted by persons and not by their proportion of stock. that the Belgic confederacy voted by provinces. that in questions of war the smaller states were as much interested as the larger and therefore should vote equally; and indeed that the larger states were more likely to bring war on the confederacy, in proportion as their frontier was more extensive. he admitted that equality of representation was an excellent principle; but then it must be of things which are co-ordinate; that is, of things similar, and of the same nature: that nothing relating to individuals could ever come before Congress; nothing but what would respect colonies. he distinguished between an incorporating and a federal union. the union of England was an incorporating one; yet Scotland had suffered by that union: for it's inhabitants were drawn from it by the hopes of

places and employments. nor was it an instance of equality of representation; because while Scotland was allowed nearly a thirteenth of representation, they were to pay only one fortieth of the land tax. he expressed his hopes that in the present enlightened state of men's minds we might expect a lasting confederacy, if it was founded on fair principles.

John Adams advocated the voting in proportion to numbers. he said that we stand here as the representatives of the people. that in some states the people are many, in others they are few; that therefore their vote here should be proportioned to the numbers from whom it comes. reason, justice and equity never had weight enough on the face of the earth to govern the councils of men. it is interest alone which does it, and it is interest alone which can be trusted. that therefore the interests within doors should be the mathematical representatives of the interests without doors. that the individuality of the colonies is a mere sound. does the individuality of a colony increase it's wealth or numbers? if it does, pay equally. if it does not add weight in the scale of the confederacy, it cannot add to their rights, nor weigh in argument. A. has 50£ B. 500£ C. 1,000£ in partnership. is it just they should equally dispose of the monies of the partnership? it has been said we are independant individuals making a bargain together. the question is not what we are now but what we ought to be when our bargain shall be made. the confederacy is to make us one individual only; it is to form us, like separate parcels of metal, into one common mass. we shall no longer retain our separate individuality, but become a single individual as to all questions submitted to the confederacy. therefore all those reasons which prove the justice and expediency of equal representation in other assemblies, hold good here. it has been objected that a proportional vote will endanger the smaller states. we answer that an equal vote will endanger the larger. Virginia, Pennsylvania, and Massachusetts are the three greater colonies. consider their distance, their difference of produce, of interests and of manners, and it is apparent they can never have an interest or inclination to combine for the oppression of the smaller. that the smaller will naturally divide on all questions with the larger. Rhode-island from it's relation, similarity, and intercourse will generally pursue the same objects with Massachusetts; Jersey, Delaware and Maryland with Pennsylvania.

D^r Rush took notice that the decay of the liberties of the Dutch republic proceeded from three causes. 1. the perfect unanimity

requisite on all occasions. 2. their obligation to consult their constituents. 3. their voting by provinces. this last destroyed the equality of representation; and the liberties of Great Britain also are sinking from the same defect. that a part of our rights is deposited in the hands of our legislatures. there it was admitted there should be an equality of representation. another part of our rights is deposited in the hands of Congress: why is it not equally necessary there should be an equal representation there? were it possible to collect the whole body of the people together, they would determine the questions submitted to them, by their majority. why should not the same majority decide, when voting here by their representatives? the larger colonies are so providentially divided in situation as to render every fear of their combining, visionary. their interests are different, and their circumstances dissimilar. it is more probable they will become rivals and leave it in the power of the smaller states to give preponderance to any scale they please. the voting by the number of free inhabitants will have one excellent effect, that of inducing the colonies to discourage slavery and to encourage the increase of their free inhabitants.

Mr. Hopkins observed there were 4. larger, 4 smaller and 4 middle-sized colonies. that the four largest would contain more than half the inhabitants of the Confederating states, and therefore would govern the others as they should please. that history affords no instance of such a thing as equal representation. the Germanic body votes by states. the Helvetic body does the same; and so does the Belgic confederacy. that too little is known of the antient confederations to say what was their practice.

Mr Wilson thought that taxation should be in proportion to wealth, but that representation should accord with the number of freemen. that government is a collection or result of the wills of all. that if any government could speak the will of all it would be perfect; and that so far as it departs from this it becomes imperfect. it has been said that Congress is a representation of states, not of individuals. I say that the objects of it's care are all the individuals of the states. it is strange that annexing the name of 'State' to ten thousand men, should give them an equal right with forty thousand. this must be the effect of magic, not of reason. as to those matters which are referred to Congress, we are not so many states; we are one large state. we lay aside our individuality whenever we come here. the

Germanic body is a burlesque on government and their practice on any point is a sufficient authority and proof that it is wrong. the greatest imperfection in the constitution of the Belgic confederacy is their voting by provinces. the interest of the whole is constantly sacrificed to that of the small states. the history of the war in the reign of Q. Anne sufficiently proves this. it is asked Shall nine colonies put it into the power of four to govern them as they please? I invert the question and ask Shall two millions of people put it in the power of one million to govern them as they please? it is pretended too that the smaller colonies will be in danger from the greater. speak in honest language and say the minority will be in danger from the majority. and is there an assembly on earth where this danger may not be equally pretended? the truth is that our proceedings will then be consentaneous with the interests of the majority: and so they ought to be. the probability is much greater that the larger states will disagree than that they will combine. I defy the wit of man to invent a possible case, or to suggest any one thing on earth, which shall be for the interests of Virginia, Pennsylvania, and Massachusetts, and which will not also be for the interest of the other states.¹

¹ Adams gives notes of the debates on August 2, p. 1082, *ante*.

SPEECH OF JOHN WITHERSPOON ON THE MES-
SAGE FROM LORD HOWE

1107

SPEECH OF JOHN WITHERSPOON

MR. PRESIDENT:

[5 SEPTEMBER, 1776?]

The subject we are now upon is felt and confessed by us all to be of the utmost consequence, and perhaps I may also say, of delicacy and difficulty. I have not been accustomed in such cases to make solemn professions of impartiality, and shall not do it now, because I will not suppose that there are any suspicions to the contrary in the minds of those who hear me. Besides, the variety of opinions that have been formed and delivered upon it, seem to prove that we are giving our own proper judgment without prejudice or influence, which I hope will lead to the discovery of what is most wise and expedient upon the whole.

As the deliberation arises from a message sent to us by Lord Howe, at least by his permission, I think it is of importance to attend with greater exactness to all the circumstances of that message than has been done by any gentleman who has yet spoken on the subject. It comes from the Commander-in-Chief of the forces of the King of Great Britain, and one who is said to carry a commission to give peace to America.

From the conduct of the Ministry at home, from the acts of Parliament, and from Lord Howe's proclamation in conformity to both, it is plain that absolute, unconditional submission is what they require us to agree to, or mean to force us to. And from the most authentick private intelligence, the King has not laid aside his personal rancour; it is rather increasing every day. In these circumstances Lord Howe has evidently a great desire to engage us in a treaty; and yet he has constantly avoided giving up the least punctilio on his side. He could never be induced to give General Washington his title. He plainly tells us he cannot treat with Congress as such; but he has allowed a prisoner of war to come and tell us he would be glad to see us as private gentlemen.

It has been said that this is no insult or disgrace to the Congress; that the point of honour is hard to be got over in making the first advances. This sir, is mistaking the matter wholly. He has got over

this point of honour; he has made the first overtures; he has told General Washington, by Colonel Putnam, that he wished that message to be considered as making the first step. His renewed attempts by Lord Drummond, and now by General Sullivan, point out to all the world that he has made the first step. It will, doubtless, be related at home; and I am of opinion it is already written and boasted of to the Ministry at home that he has taken such a part. Therefore any evil or condescension that can attend seeking peace first, has been submitted to by him. Yet has he uniformly avoided any circumstance that can imply that we are anything else but subjects of the King of Great Britain in rebellion. Such a message as this, if in any degree intended as respectful to us, ought to have been secret; yet has it been open as the day. In short, such a message was unnecessary; for if he meant only to communicate his mind to the Congress by private gentlemen, he might have done that many ways, and it needed not to have been known either to the publick or the Congress till these private gentlemen came here on purpose to reveal it. These, then, are the circumstances which attend this message as it is now before us: and the question is, shall we comply with it in any degree or not? Let us ask what benefit shall be derived from it? There is none yet shown to be possible. It has been admitted by every person without exception who has spoke, that we are not to admit a thought of giving up the independencie we have so lately declared; and by the greatest part, if not the whole, that there is not the least reason to expect that any correspondence we can have with him will tend to peace. Yet I think in the beginning of the debate such reasonings were used as seemed to me only to conclude that we should grasp at it as a means of peace. We were told that it was easy for us to boast or be valiant here, but that our armies were running away before their enemies. I never loved boasting, neither here nor anywhere else. I look upon it as almost a certain forerunner of disgrace. I found my hope of success in this cause, not in the valour of Americans or the cowardice of Britons, but upon the justice of the cause, and still more upon the nature of things. Britain has first injured and inflamed America to the highest degree, and now attempts, at the distance of three thousand miles, to carry on war with this whole country, and force it to absolute submission. If we take the whole events of the war since it commenced, we shall rather wonder at the uniformity of our success than be surprised at some cross events. We have seen bravery as well as cowardice in this country, and there are

no consequences of either that are probable, that can be worth mentioning as ascertaining the event of the contest.

Lord Howe speaks of a decisive blow not being yet struck, as if this cause depended upon one battle, which could not be avoided. Sir, this is a prodigious mistake. We may fight no battles at all for a long time, or we may lose some battles, as was the case with the British themselves in the Scotch rebellion of 1745, and the cause notwithstanding be the same. I wish it were considered, that neither loss nor disgrace worth mentioning has befallen us in the late engagement, nor comparable to what the British troops have often suffered. At the battle of Preston, sir, they broke to pieces and ran away like sheep, before a few Highlanders. I myself saw them do the same thing at Falkirk, with very little difference—a small part only of the army making a stand, and in a few hours the whole retreating with precipitation before their enemies. Did that make any difference in the cause? Not in the least—so long as the body of the nation were determined, on principle, against the rebels. Nor would it have made any other difference, but in time, though they had got possession of London, which they might have easily done if they had understood their business; for the Militia in England there gathered together, behaved fifty times worse than that of America has done lately. They generally disbanded and run off as soon as the rebels came within ten or twenty miles of them. In short, sir, from anything that has happened, I see not the least reason for our attending to this delusive message. On the contrary, I think it is the very worst time that could be chosen for us, as it will be looked upon as the effect of fear, and diffuse the same spirit in some degree through different ranks of men.

The improbability of anything arising from this conference, leading to a just and honourable peace, might be shown by arguments too numerous to be even so much as named. But what I shall mention only is, that we are absolutely certain, from every circumstance, from all the proceedings at home, and Lord Howe's own explicit declaration in his letter to Dr. Franklin, that he never will acknowledge the independence of the American States.

I observed that one or two members said, in objection to the report of the Board of War, that it was like a begging of a question, and making a preliminary of the whole subject in debate. Alas, sir, this is a prodigious mistake. It was not only not the whole, but it was properly no subject of debate at all, till within these three months.

We were contending for the restoration of certain privileges under the Government of Great Britain, and we were praying for re-union with her. But in the beginning of July, with the universal approbation of all the States now united, we renounced this connection, and declared ourselves free and independent. Shall we bring this into question again? Is it not a preliminary? has it not been declared a preliminary by many gentlemen, who have yet given their opinion for a conference, while they have said they were determined on no account and on no condition to give up our independence? It is then a necessary preliminary—and it is quite a different thing from any punctilios of ceremony. If France and England were at war, and they were both desirous of peace, there might be some little difficulty as to who should make the first proposals; but if one of them should claim the other as they did long ago as a vassal or dependent subject, and should signify a desire to converse with the other, or some deputed by him, and propose him many privileges so as to make him even better than before, I desire to know how such a proposal would be received? If we had been for ages an independent Republic, we should feel this argument with all its force. That we do not feel it, shows that we have not yet acquired the whole ideas and habits of independence: from which I only infer, that every step taken in a correspondence as now proposed, will be a virtual or partial renunciation of that dignity so lately acquired.

I beg you would observe, sir, that Lord Howe himself was fully sensible, that the Declaration of Independence precluded any treaty, in the character in which he appeared; as he is said to have lamented that he had not arrived ten days sooner—before that declaration was made. Hence it appears, that entering into any correspondence with him in the manner now proposed, is actually giving up, or at least subjecting to a new consideration, the independence which we have declared. If I may be allowed to say it without offence, it seems to me that some members have unawares admitted this, though they are not sensible of it; for when they say that it is refusing to treat, unless the whole be granted us, they must mean that some part of that whole must be left to be discussed and obtained, or yielded, by the treaty.

But, sir, many members of this House have either yielded, or at least supposed, that no desirable peace, or no real good, could be finally expected from this correspondence, which is wished to be set on foot; but they have considered it as necessary in the eye of the publick, to satisfy them that we are always ready to hear anything

that will restore peace to the country. In this view it is considered as a sort of trial of skill between Lord Howe and us, in the political art. As I do truly believe, that many members of this House are determined by this circumstance, I shall consider it with some attention. With this view it will be necessary to distinguish the publick in America into three great classes: 1. The Tories, our secret enemies. 2. The Whigs, the friends of independence, our sincere and hearty supporters. 3. The Army who must fight for us.

As to the first of them, I readily admit that they are earnest for our treating. They are exulting in the prospect of it; they are spreading innumerable lies to forward it. They are treating Whigs already with insult and insolence upon it. It has brought them from their lurking holes; they have taken liberty to say things in consequence of it, which they durst not have said before. In one word, if we set this negotiation on foot, it will give new force and vigour to all their seditious machinations. But, sir, shall their devices have any influence upon us at all? If they have at all, it should be to make us suspect that side of the question which they embrace. In cases where the expediency of a measure is doubtful, if I had an opportunity of knowing what my enemies wished me to do, I would not be easily induced to follow their advice.

As to the Whigs and friends of independence, I am well persuaded that multitudes of them are already clear in their minds, that the conference should be utterly rejected; and to those who are in doubt about its nature, nothing more will be requisite than a clear and full information of the state of the case, which I hope will be granted them.

As to the Army, I cannot help being of opinion, that nothing will more effectually deaden the operations of war, than what is proposed. We do not ourselves expect any benefit from it, but they will. And they will possibly impute our conduct to fear and jealousy as to the issue of the cause; which will add to their present little discouragement, and produce a timorous and despondent spirit."

BIBLIOGRAPHICAL NOTES

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January 2.

Resolutions on Tories.

89. The / Tory Act / Published by Order of the Continental Congress, Philadelphia, Jan. 2, 1776. [New York or Philadelphia: 1776.]
F^o. Broadside.

A copy is in the Library of Congress. It measures 35½ x 22½ cms.

January 24.

Address to Canada.

90. Aux / Habitants / De la Province du Canada. / [Philadelphia:]
Chez Fleury Mesplet & Charles Berger [1776]. F^o. Broadside.

The English original is printed in Force's Archives, 4, iv, 1653.

91. Aux Habitants / De la Province du Canada. [Philadelphia:
Mesplet & Berger. 1776.] F^o. Broadside.

A copy is in the Library of Congress, in the *Papers of the Continental Congress*, No. 42, III, folio 459. It measures 32 x 19½ cms.

February 19.

Oration on Montgomery.

92. An / Oration / in Memory of / General Montgomery, / and of
the / Officers and Soldiers, / Who Fell with Him, December 31, 1775, /
before / Quebec; / Drawn up (and Delivered February 19th, 1776.) /
At the Desire of the / Honorable Continental Congress. / By William
Smith, D. D. / Provost of the College and Academy / Of Philadel-
phia. / . . . / Philadelphia: / Printed by John Dunlap, in Market-
Street. / M,DCC,LXXVI. / 8^o. pp. (4), 44.

"The oration was an insolent performance. A Motion was made to thank the orator, and ask a copy, but opposed with great spirit and vivacity from every part of the room, and at last withdrawn, lest it should be rejected, as it certainly would have been, with indignation. The orator then printed it himself, after leaving out or altering some offensive passages." *Familiar Letters of John Adams*, 28 April, 1776.

The oration was delivered at the Dutch calvinist church.

93. An / Oration / In Memory of / General Montgomery, / and of the / Officers and Soldiers, / Who Fell with Him, December 31, 1775, / before / Quebec; / Drawn up (and Delivered February 19, 1776,) / At the Desire of the / Honorable Continental Congress. / By William Smith, D. D. / Provost of the College and Academy / Of Philadelphia. / / Philadelphia, Printed; / New York: Reprinted by John Anderson, the / Corner of Beekman's Slip, / 1776.

8°. pp. 36.

94. An / Oration / In Memory of / General Montgomery, / and of the / Officers and Soldiers, / Who Fell with Him, December 31, 1775, / before / Quebec; / Drawn up (and Delivered February 19, 1776.) / At the Desire of the / Honorable Continental Congress. / By William Smith, D. D. / Provost of the College and Academy / Of Philadelphia. / / Philadelphia, Printed; / Loudon, / Reprinted for J. Almon. MDCCLXXVI.

8°. pp. iv, 36.

95. An / Oration / In Memory of / General Montgomery, / and of the / Officers and Soldiers, / Who Fell with Him, December 31, 1775, / before / Quebec; / Drawn up (and Delivered February 19, 1776.) / At the Desire of the / Honorable Continental Congress. / By William Smith, D. D. / Provost of the College and Academy / Of Philadelphia. / / Philadelphia, Printed: / Newcastle, Reprinted by T. Robson and Co. And sold at their Printing-Office.

8°. pp. 35.

96. An / Oration / In Memory of / General Montgomery, / and of the / Officers and Soldiers, / Who Fell with Him, December 31, 1775, / Before / Quebec; / Drawn up (and Delivered February 19, 1776.) / At the Desire of the / Honorable Continental Congress. / By William Smith, D. D. / Provost of the College and Academy / Of Philadelphia. / / Philadelphia, Printed: / Newport: Reprinted by Solomon Southwick. / M,DCC,LXXVI. /

8°. pp. (2), 30.

97. An / Oration / In Memory of / General Montgomery, / and of the / Officers and Soldiers, / Who Fell with Him, December 31, 1775, / before / Quebec; / Drawn up (and Delivered February 19, 1776.) / At the Desire of the / Honorable Continental Congress. / By William Smith, D. D. / Provost of the College and Academy / Of Philadelphia. / / Philadelphia, Printed: Norwich: Reprinted by Robertsons and J. Trumbull. 1776.

8°. pp. 22 [1]

March 16.

Proclamation for a fast.

98. In Congress, / Saturday, March 16, 1776. / Philadelphia:
Printed by John Dunlap. [1776.] F^o. Broadside.

Prepared and introduced, with the permission of Congress, by William Livingston.

99. In Congress, / Saturday, March 16, 1776. / New-London:
Printed by Timothy Green, Printer to the Governor and Company of
the Colony of Connecticut. [1776.] F^o. Broadside.

It measures 49 x 36½ cms.

100. A Proclamation for a Continental Fast. / In Congress, Satur-
day, March 16, 1776. / [Boston: 1776?] F^o. Broadside.

March 23.

Resolutions concerning privateers.

101. In Congress, / March 23, 1776. / Philadelphia: Printed by
John Dunlap. [1776.] F^o. Broadside.

A copy is in the Library of Congress, *Letters to Washington*, 90, folio 77. It
measures 32 x 20 cms.

March 27.

Sermon on Ward.

102. Death, the last Enemy, destroyed by Christ. / A Sermon, /
Preached, March 27, 1776, / before / The Honorable / Continental
Congress; / on the Death of / The Honorable / Samuel Ward, Esq. /
one of the / Delegates from the Colony / of Rhode Island, / who
died of the Small-Pox, in this city, / (Philadelphia) / March 26,
Æt. 52. / Published at the desire of many who heard it. / By Samuel
Stillman, M. A. / Philadelphia: / Printed by Joseph Crukshank, in
Market-street. / MDCCLXXVI. S^o. pp. 28.

April 3.

Instructions for Letters of Marque.

103. In Congress, / Wednesday, April 3, 1776. / Instructions to the
Commanders of Private Ships or Vessels of War, which shall / have
Commissions or Letters of Marque and Reprisal, authorising them to
makè captures of British Vessels / and Cargoes. F^o. Broadside.

A copy is in the Library of Congress, signed by Samuel Huntington, President.
It was delivered March 21, 1780, to Samuel Wardwell, with his commission as
commander of the sloop *George*, a private vessel of war. It measures 35 x 22 cms

It is probable that other issues of these resolutions were made as occasion
called for them. The following number is an example:

104. In Congress, / Wednesday, April 3, 1776. / Instructions to the Commanders of Private Ships or Vessels / of War, which shall have Commissions or Letters of Marque and Reprisal, / authorising them to make captures of British Vessels and Cargoes. / F^o. Broadside.

A copy is in the New York Public Library, Emmet, 1240. It is signed by Henry Laurens, as President.

A copy, signed by John Jay as President, and issued June 9, 1779, to John Caboon, commander of the schooner *Scorpion*, is in the Rhode Island Historical Society. Another copy, signed by John Jay, is in the Connecticut Historical Society.

April 3.

Bonds from Letters of Marque.

105. In Congress, / April 3, 1776. / Resolved, That every Person intending to set forth / and fit out a Private Ship or Vessel of War, and applying / for a Commission or Letters of Marque and Reprisal for that / Purpose [shall give bond] . . . / which shall be lodged with the said Secretary of Congress. F^o. Broadside.

A copy is in the New York Public Library, Emmet, 517. It is signed by John Hancock as President.

May 15.

Resolutions concerning state governments.

106. In Congress / May 15, 1776. / Philadelphia: Printed by John Dunlap. [1776.] F^o. Broadside.

The resolve of May 10, with the preamble, drafted by John Adams, John Rutledge, and R. H. Lee, adopted May 15. The resolve was written by John Adams.

107. In Congress, / May 15, 1776. {Philadelphia(?): 1777} F^o. Broadside.

Has appended a letter "To the Inhabitants of Vermont, a Free and Independent State, bounding on the River Connecticut and Lake Champlain," dated Philadelphia, April 11, 1777, and signed Thomas Young. Also a communication, signed "A word to the wise is sufficient," dated April 12, 1777. A copy is in the *Papers of the Continental Congress*, No. 78, II, folio 159. It measures 39 x 24 cms. In Paul Leicester Ford's *Bibliography* the place and printers are conjectured to be Dresden: Judah Paddock and Alden Spooner.

May 21.

Regulations Concerning Prisoners.

108. In Congress, / May 21, 1776. / Resolved, / That all persons taken in arms on board any prize, be deemed prisoners, to be taken

care of by the supreme executive / power in each Colony to which they are brought, whether the prize &c. F^o. Broadside.

A copy is in the Library of Congress, *Letters to Washington*, 89, folio 143. It measures 33 x 20 cms.

July 4.

Declaration of Independence.

109. In Congress, July 4, 1776. / A Declaration / By the Representatives of the / United States of America, / In General Congress assembled. / / Philadelphia: Printed by John Dunlap.

F^o. Broadside.

Three copies are in the Library of Congress. One was attached by wafers to the Manuscript Journals. The copy in the Washington Papers (*Letters to Washington*, 89, folio 203) was inclosed in a letter from John Hancock, dated July 6. It was sent to the States in letters dated July 5 and 6. Thus the paper must have been printed on the 5th or 6th, and is in all probability the original issue. It measures 46 x 37½ cms.

See also *Pennsylvania Archives*, First Series, X, 634.

110. In Congress, July 4, 1776. / A Declaration / By the Representatives of the / United States of America, / In General Congress assembled. / / [Philadelphia:] Printed by John Dunlap. [1776].

F^o. Broadside.

A copy on vellum was found among the papers of David Rittenhouse, and is now in the American Philosophical Society, Philadelphia. It measures 55 x 41 cms. It has been described by I. Minis Hays in the *Proceedings of the American Philosophical Society*, XXXIX, 72.

111. In Congress, July 4, 1776. / A Declaration by the Representatives of the United States / of America, in General Congress assembled / . . .

F^o. Broadside.

Printed in double column. A copy is in the Du Simitière Collection, Library Company of Philadelphia. It measures 28½ x 27½ cms. See Hays, above.

112. In / Congress, / July 4, 1776. / A Declaration / By the / Representatives / of the / United States of America, / In General Congress assembled. [With the order of the Council of Massachusetts for its publication.] Salem, Massachusetts-Bay: Printed by E. Russell, By Order of Authority. [1776.]

F^o. Broadside.

A copy is in the Essex Institute, Salem, Mass., and another in the New York Public Library, Emmet Collection, No. 1532. It measures 49½ x 38 cms.

113. In Congress, July 4, 1776. / A Declaration / By the Representatives of the / United States of America / In General Congress

Assembled. / America: Boston, Printed by John Gill, and Powars and Willis, in Queen-Street. [1776.] F^o. Broadside.

Two imprints have been found, one with and the other without the names of the printers. Copies are in the Massachusetts Historical Society. The one without the imprint measures 50 x 34 cms. That with the imprint measures 44½ x 28 cms.

114. In / Congress, / July 4, 1776. / A / Declaration / by the Representatives / of the / United States of America, / In General Congress assembled. F^o. Broadside.

Printed in four columns. A copy is in the Essex Institute, Salem, Mass. It measures 42 x 34½ cms.

115. In Congress, July 4, 1776. / A Declaration / By the Representatives of the / United States of America, / In General Congress assembled. / / Newport, June 13, 1776: Printed by S. Southwick. / F^o. Broadside.

"This is the only copy I have ever seen of the Newport edition; and from the circumstances of its being printed, when the town was largely in the hands of the Tories, and within six months of the time that the British took possession of the town and drove out most of the inhabitants, it must necessarily be a very scarce broadside. I remember once when in conversation with your brother over this particular item, he remarked humorously that this Newport edition must have been the pattern for the original act, as according to the imprint it was printed three weeks before July 4. It is, of course, explainable only through a printer's error." *Clarence S. Brigham.*

116. In Congress, July 4, 1776. / A Declaration / By the Representatives of the / United States of America, / In General Congress Assembled. / / Newport, Printed by S. Southwick. / F^o. Broadside.

"This is precisely the same as the previous edition except that it also contains the official action of the Rhode Island General Assembly at its July session upon the Declaration. This copy is signed in autograph by the Secretary of the Colony." *Clarence S. Brigham.*

117. In Congress, July 4, 1776, / The Unanimous / Declaration / of the / Thirteen United States of America. / . . . / Baltimore, in Maryland: Printed by Mary Katharine Goddard. / [1777.] F^o. Broadside.

This was published in accordance with a resolution of the Continental Congress of January 18, 1777. A copy is in the Library of Congress, with signatures of John Hancock and Charles Thomson. It measures 53½ x 42 cms.

"I am therefore commanded by Congress, to transmit to you the enclosed copy of the act of Independence, with the list of the several members of Congress, subscribed thereto; and to request that you will cause the same to be put upon

record, that it may henceforth form a part of the archives of your state and union, a lasting testimony of your approbation of that necessary and important measure." *John Hancock to States*, 31 January, 1776.

July 5.

Defense of New Jersey and Pennsylvania.

118. At a Conference of the Delegates in Congress for the States of New-York, New-Jersey and / Pennsylvania, of the Committee of Safety of Pennsylvania, the Committee of Inspection and / Observation for the City and Liberties of Philadelphia, and the Field Officers of the five Batta- / lions of the said City, &c. F^o. Broadside.

Contains resolution of Congress calling the conference, July 4, 1776; the resolutions agreed upon by the conferees, Thomas McKean, Chairman; and the resolution of Congress approving the results of the conference, July 5, 1776.

A copy is in the Library of Congress, Letters to Washington, 89, folio 206. It measures 33 x 20 cms.

July 12.

First draft of the Articles of Confederation.

119. Articles / of Confederation and Perpetual Union, / Between the Colonies of /

New-Hampshire,
Massachusetts-Bay,
Rhode-Island,
Connecticut,
New-York,
New-Jersey,
Pennsylvania,

The Counties of New-Castle, Kent
and Sussex on Delaware,
Maryland,
Virginia,
North-Carolina,
South-Carolina, and
Georgia.

[Philadelphia: 1776.]

F^o. pp. 8.

Two copies of this issue are in the Library of Congress. One in the *Papers of the Continental Congress*, No. 47, folio 21, is endorsed by Charles Thomson, "First draught of Articles of Confederation as brought in by Committee, June [July] 12, 1776." It bears no other manuscript marks. The second copy is in the *Jefferson Papers*, and has, in his writing, the changes probably made in July or early in August, 1776, for they differ somewhat from the form in which the document was reported on August 20, 1776. See in this volume under date July 12, 1776. The Jefferson copy measures 34 x 22 cms; that in the *Papers of the Continental Congress* has been slightly trimmed.

The following document is in the Library of Congress:

"We and each of us do swear that we will deliver all the copies of 'the articles of confederation' which we shall print together with the copy sheet to the Secretary of Congress and that we will not disclose either directly or indirectly the contents of the said confederation.

Philadelphia July 13, 1776.

Sworn to before me

JOHN GIBSON.

JOHN DUNLAP.

D. C. CLAYPOOLE.

July 19.

Resolve concerning volunteers.

120. In Congress, July 19, 1776 [Philadelphia: 1776]. 4^o. pp. (3).

July 20.

Plan of Treaties.

121. There shall be a firm, inviolable, and universal peace, and a true and / sincere friendship between A. and B. and the subjects of A. and B. / / . . . [Philadelphia: 1776]. F^o. pp. 5.

Two copies of this report are in the Library of Congress, in the *Papers of the Continental Congress*, No. 47, folios 151 and 161. Both have manuscript changes of text. They measure 31 x 21½ cms.

August 14.

Address to Hessians.

122. []

See note under August 27 in *Journals*.

August 20.

Second Draft of the Articles of Confederation.

123. Articles / of / Confederation and Perpetual Union, / Between the States of /

New-Hampshire,	The Counties of New-Castle, Kent
Massachusetts-Bay,	and Sussex on Delaware,
Rhode-Island,	Maryland,
Connecticut,	Virginia,
New-York,	North-Carolina,
New-Jersey,	South-Carolina, and
Pennsylvania,	Georgia.

[Philadelphia: 1776.]

F^o. pp. 6.

Three copies of this issue are in the Library of Congress, in the *Papers of the Continental Congress*, No. 47, folios 29, 69 and 111. The first copy has many manuscript changes in the writing of Charles Thomson and Henry Laurens, and is endorsed: "Articles of Confederation as amended in a committee of the whole Congress, August 20, 1776, with the Amendments afterwards made in Congress" [i. e., in 1777]. The second copy also has changes of text in the writing of Charles Thomson, Henry Laurens and John Hancock (?), and is endorsed: "Articles of Confederation belonging to the Secretary of Congress, corrected at the table." The third copy has a small number of manuscript amendments, in the writing of Charles Thomson and John Hancock (?), and has no endorsement indicating its relation to the other copies. The copies are uniform in size, measuring 32½ x 21 cms.

August 27.

Address to Hessians.

124. []

See note under date in *Journals*.

August 28.

Resolve concerning gun powder.

125. In Congress, / August 28, 1776. / Resolved, By
Order of Congress, &c. F^o. Broadside.

A copy is in the Library of Congress, and another in the Rhode Island Historical Society. It measures 34½ x 22 cms.

September 16.

Bounties &c.

126. In Congress, / September 16, 1776. / [Organization of the
army, bounties &c.] [Philadelphia: John Dunlap, 1776.]

F^o. Broadside.

This was sent to the States by John Hancock on September 24, 1776.

A copy is in the New York Public Library, Emmet, 5583.

September 20.

Revised Articles of War.

127. Rules / and / Articles / for the better / Government / of
the / Troops / Raised, or to be raised and kept in pay by / and at
the expence of the United / States of America. / Philadelphia: /
Printed by John Dunlap, in Market-Street. / M,DCC,LXXVI. /

8^o. pp. 36.

"Resolved, That Mr. John Dunlap, Print 300 Copies of the Rules and Regulations for the Government of the Continental Army, for the use of the Associators going in to the Continental service." Minutes Council of Safety, 8 July, 1776. In *Colonial Records of Pennsylvania*, X, 636.

This should apply to the Articles of War before revision, but no copy of such an issue has been traced.

128. Rules and Articles for the better Government of the Troops
raised, or to be raised, and kept in pay, by and at the Expence of the
United States of America. In Congress, September 20, 1776. . . .
[Philadelphia? 1776?] 12^o. pp. 25.

129. Rules / and / Articles / for the Better / Government / of
the / Troops / Raised, or to be raised and kept in pay / by and at
the expence of the Uni- / ted States of / America. / Philadelphia,
Printed: Fish-Kill, / Re-printed by S. Loudon. / M,DCC,LXXVI. /

12^o. pp. 31.

A copy is in the New York Historical Society.

130. The / Rules / and / Articles / of / War, / For the Govern-
ment / of the / Troops / of the / United States. / Extracted / from the /
Journals of Congress / for the year 1776. / Baltimore: Printed by
Philip Edwards. / MDCCXCIV. 8°. pp. 28.

October 3.

Resolve to borrow \$5,000,000.

131. In Congress, / October 3, 1776. [Philadelphia:] Printed by
John Dunlap [1776]. F°. Broadside.

Contains also the resolve of October 7, on publishing the resolutions.
A copy is in the Rhode Island Historical Society.

November 18.

Continental Lottery.

132. United States Lottery No. / Class the first. / This Ticket
entitles the Bearer to receive / such Prize / [Philadelphia,
1776]. Broadside.

A ticket of the third class, signed by G. Campbell, is in the Library of Con-
gress. It measures 5 x 19½ cms.

November 24.

Reinforcing Washington's Army.

133. In Congress, / November 23, 1776. / [Philadelphia: 1776.]
F°. Broadside.

See *Journals*, under date. The broadside was issued by the Council of Safety
of Philadelphia. A copy is in the *Papers of the Continental Congress*, No. 69, I,
folio 265. It measures 33½ x 21½ cms.

December 10.

Address to the people.

134. The Representatives of the United States of / America, in
Congress assembled, / To the People in General, and particularly to
the Inhabitants / of Pennsylvania, and the adjacent States. [Phila-
delphia: 1776.] F°. Broadside.

135. Die Repräsentanten der Vereinigten Staaten / von America, im Congreß
verjammelt, / An das Volk überhaupt, und an die Einwohner Pennsylvaniens, / und
der angrenzenden Staaten insbesondere. / Gegeben zu Philadelphia, den 10ten
December, 1776. / [Philadelphia: Henrich Miller. 1776.]

F°. Broadside.

December 11.

Resolution for a Fast.

136. [Resolved that it be recommended to all the United States, as soon as possible, to appoint a day of solemn fasting and humiliation]

Baltimore: Printed by John Dunlap, [1776]. F^o. Broadside.

A copy is in the New York Public Library, Emmet, 2093. The compiler of the "Calendar of the Emmet Collection" adds the following note: "The resolution was adopted on Dec. 11; the day following Congress adjourned to meet at Baltimore on the 20th. The fact that no Philadelphia edition of the broadside has been noted may perhaps be explained thereby, this Baltimore edition being the first, printed about the time of removal."

"As it is of great Consequence to the people to be informed of the situation of Public affairs, and there is no Press now in the City capable of giving such intelligence; therefore

"Resolved, That Mr. Dunlap's press and types be employed for that purpose, and as it is a time of more than usual Danger, this board will pay the value of them in case they should fall into the enemy's hands." *Colonial Records*.

137. In Congress, / December 11 1776 / / Hartford:
Re-Printed by Ebenezer Watson. F^o. Broadside.

December 23.

Accounting for militia money.

138. In Congress. / December 23, 1776. / [Persons entrusted with money for the militia reinforcing the army are to transmit the receipts of the officers receiving the same to the paymaster general.]

Baltimore: Printed by John Dunlap, [1776]. 4^o. Broadside.

A copy is in the New York Public Library, Emmet, 5585.

December 30.

Non-exportation of certain articles.

139. In Congress. / December 30, 1776. [Baltimore:] Printed by John Dunlap, [1776.] F^o. Broadside.

A copy is in the Library of Congress. It measures 32½ x 20 cms.

Extracts from Journal relative to marine affairs.

140. Extract / from the / Journals of Congress, / relative to the / Capture and Condemnation of Prizes, / and the / Fitting out Privateers; / together with the / Rules and Regulations of the Navy, / And Instructions to the / Commanders of Private Ships of War. / Philadelphia: / Printed by John Dunlap, / M,DCC,LXXVI.

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8^o. pp. (2), 45.

141. Extract uit de Dag-Registers van het Noord-Amerikaansche Congres, Betrekklyk tot het neemen en verbeurdverklaaren van Scheeps-Ordonnantien en Schikkingen der Zee-Vloort, en de Pryzen en het intrusten van Kaapers; benevens de Instructien voor de Bevelhebbers der Particuliere Oorlogshepen. Philadelphia. 1777.

8°. pp. 48.

Journal.

September, 1775, to April, 1776.

142. Journal of the Proceedings of Congress Held at Philadelphia, From September 5, 1775, to April 30, 1776. Philadelphia: Printed: London: Reprinted for J. Almon, opposite Burlington-House, Piccadilly / M,DCC,LXXVIII.

8°. pp. 202.

Journal.

January to May, 1776.

143. The Journals of the Proceedings of Congress. Held at Philadelphia, from January to May, 1776. Philadelphia: Printed by R. Aitken, Bookseller, opposite the London Coffee-house, Front-Street. / M,DCC,LXXVI.

8°

“Collation: Title, 1 leaf; Journal for January, pp. 1-93; Title, 1 leaf; Journal for February, pp. 1-70; Title, 1 leaf; Journal for March, pp. 73-146; Journal for April, pp. 147-237. The second title is: The Journals of Congress. For February, 1776. / Philadelphia: Printed and sold by R. Aitken, Front-Street. / M,DCC,LXXVI.

“This addition appears to have been issued in monthly parts. Aitken says of it, ‘I was ordered [in April 1776] to print no more in this large type, and to begin a new edition beginning the session of Congress, which rendered the sale of the above abortive, meantime, I sold 80 copies. I also sold 14 reams of this edition to Benjamin Flower, for the use of the army for cartridges at 30s per ream.’” *Hildeburn*.

The *Pennsylvania Gazette*, 9 October, 1776, contains an advertisement of the issue of this volume “this Day,” “containing nearly 240 Pages, large Octavo, in blue Boards, Price One Dollar.”

A copy is in the Pennsylvania Historical Society. The Connecticut Historical Society has William Williams’s copy.

Journal. 1776.

144. Journals of Congress. Containing the Proceedings in the Year, 1776. Published by Order of Congress. Volume II. Philadelphia: Printed and Sold by R. Aitken, Bookseller, Front-Street. / M,DCC,LXXVII.

8°. pp. [2], 513, [22]

See *Journals*, September 26, 1776, *ante*.

145. Journals of Congress. Containing the Proceedings from January 1, 1776, to January 1, 1777. Published by order of Congress. Volume II. York-Town: [Pennsylvania] Printed by John Dunlap. / M,DCC,LXXVII.

8°. pp. (2), 520, xxvii.

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